



AGENDA

Planning Commission Meeting
Tuesday, September 22, 2020
7:00 pm
Gardner City Hall
120 E. Main Street

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Planning Commission for study. These items are considered to be routine and will be enacted upon by one motion with no separate discussion. If separate discussion is desired on an item, from either the Planning Commission or from the floor, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

1. Standing approval of the minutes as written for the meeting on August 25, 2020.

REGULAR AGENDA

1. **COMPREHENSIVE IMPROVEMENT (CIE)**
Consider approval of revision to the Comprehensive Plan, Chapter 12
2. **SYMPHONY FARMS SUBDIVISION, PHASES V, VI**
Located at W 167th Street and Kill Creek Road
 - a. **PP-20-10:** Consider a preliminary plat for a 106 lot single family subdivision
 - b. **FP-20-09:** Consider a final plat for a 54 lot single family subdivision
3. **REGENCY WEST**
Located north of W. 188th Street on the west side of Gardner Road
 - a. **PDP-20-04:** Hold a public hearing for a revised preliminary dev. Plan
 - b. **PP-20-09:** Consider a preliminary plat for a 3 lot subdivision
 - c. **CUP-20-01:** Hold a public hearing for a conditional use permit for a daycare
 - d. **FDP-20-05:** Consider a final development plan for a daycare facility
 - e. **FP-20-08:** Consider a final plat for a daycare facility
4. **THE LAKES OF CONESTOGA**
Located at the southeast corner of E. Santa Fe Street and Conestoga Drive
 - a. **CUP-20-02:** Hold a public hearing for a conditional use permit for a 95-unit Manufactured/Mobile Home Community



In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's office at 856-0945 a minimum of 48 hours prior to the meeting.

- b. **Z-20-08:** Hold a public hearing for rezoning for a Manufactured/Mobile Home Community.
- c. **PDP-20-05:** Hold a public hearing for a preliminary development plan for a 95-unit Manufactured/Mobile Home Community.
- d. **PP-20-11:** Consider a preliminary plat for a 95-unit Manufactured/Mobile Home Community.

DISCUSSION ITEMS

ADJOURNMENT



PROJECT NUMBER / TITLE: Hold a public hearing and consider a Comprehensive Plan Amendment for the Capital Improvements Element (CIE)

BACKGROUND

On July 25, 2017, the Planning Commission initiated an amendment to add a Capital Improvements Element (CIE) to the *City of Gardner Comprehensive Plan*. The CIE is a long-term plan for addressing the existing and projected needs for capital improvements for electric, potable water, wastewater, recreation, and transportation facilities and services. The CIE contains schedules of the anticipated phasing and costs (in today's dollar) for capital projects. These are the 5-Year Schedule, the 10-Year Schedule, and the 10+ Year Schedule. The 5-Year CIE Schedule should be considered a sub-set of the City's 5-Year CIP.

The CIE addresses projects that are considered essential to maintaining existing service levels and anticipating new capacity requirements associated with population growth, development, and annexation as embodied in the City's Comprehensive Plan and other master plans. Updates may occur annually as the City reviews the CIP. The CIE is a powerful tool to assist with implementation of the Comprehensive Plan, the City's Growth Management Strategy, and master plans.

In 2018, the City adopted the *Gardner Main Street Corridor Plan* which included recommendations to enhance quality of life and sense of place in key areas adjacent to the US-56 corridor. In 2020, the City adopted the Gardner Destination Downtown Plan, which went a step further to balance vehicular and non-vehicular activity in improved streetscapes that are authentic to the character of Gardner. Both plans have been incorporated in the CIE. Recently, the City has completed updates to the transportation master plan including the airport and updated the CIE schedules for the period 2020-2049. To further support the CIE, and provide a basis for obtaining funding, this updated information should also be incorporated as amendments to the Comprehensive Plan.

The attached are draft changes to Chapter 12. Deletions are shown struck through in blue text and additions are shown underlined in red text. Projects related to the Gardner Main Street Corridor Plan and Gardner Destination Downtown Plan are highlighted in yellow.

If the Planning Commission adopts the attached Resolution and forwards a recommendation to the Governing Body to approve the amendment, the next steps will be to provide notice to the County and any townships affected up to 20 days prior to the action by the Governing Body.

ATTACHMENTS

- I. Chapter 12 Capital Improvements Element
- II. Resolution to amend the Comprehensive Plan

RECOMMENDATION #1

Staff recommends that the Planning Commission adopt a resolution to amend the Gardner Comprehensive Plan to include a revised Chapter 12 Capital Improvements Element, and forward a recommendation of approval to the Governing Body.

Recommended Motion:

Motion to adopt a resolution to amend the Gardner Comprehensive Plan to include a revised Chapter 12 Capital Improvements Element, and forward a recommendation of approval to the Governing Body.

RECOMMENDATION #2

Staff recommends that the Planning Commission initiate Comprehensive Plan Amendments to incorporate the updated information from recent master plans and studies, and to further strengthen the implementation plan.

Recommended Motion:

Motion to initiate Comprehensive Plan Amendments to incorporate the updated information from recent master plans and studies, and to further strengthen the implementation plan.



12 CAPITAL IMPROVEMENTS

Quality of life and a high standard for public services and facilities are important components of living in the City of Gardner. The City provides facilities and services to residents and businesses within the city limits. These facilities and services include electric, potable water, wastewater, recreation, and transportation. New development, redevelopment, and growth in the community rely upon the availability of these facilities and services.

The Capital Improvements chapter of the Comprehensive Plan analyzes the existing and projected needs for City-provided capital facilities and services based on guidance from other Comprehensive Plan elements, projected population, existing demand for facilities and services, master plans that have been developed, and the City's Capital Improvements Program.

The Capital Improvements Element compiles the various infrastructure and facility/service needs related to growth and development that are identified in various documents so that needs are presented in a single document with schedules of capital improvements for 5 years, 10 years, and 10+ years.

For the purposes of the Capital Improvements chapter of the Comprehensive Plan, a capital improvement is defined as land, non-structural improvements to land, structures (including the costs for design, permitting, construction, furnishings, and equipment), technology, and facilities with a unit cost of \$25,000 or more. The capital improvements listed in the tables at the end of the element do not include all capital outlays of the City of Gardner. Those listed are specifically related to land, infrastructure, facility, and service requirements as they relate to existing and future development.

Payments for capital improvements may require multi-year financing. Capital improvements shown in the 5-Year Schedule of Capital Improvements do not include those that are the sole responsibility of another governmental unit.

The Capital Improvements Element does not include capital expenditures for routine maintenance such as roadway resurfacing. The primary focus is on capacity enhancements needed for projected growth or funding needed to maintain the existing service levels.

Capital Improvements 1



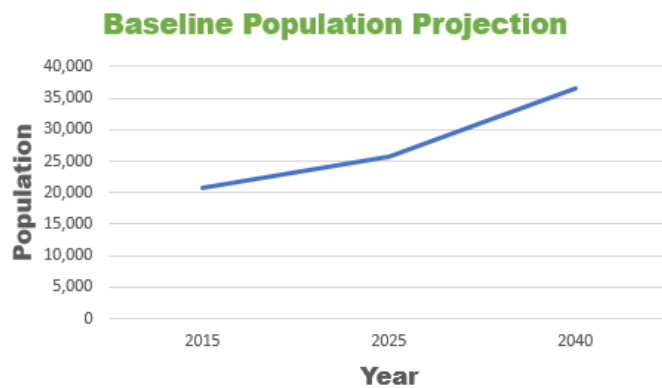
Maintaining the existing level of service and anticipating future needs based on population projections, planned growth areas (including areas that might be annexed) and the need to replace or expand existing systems is critical to the future growth opportunities for Gardner. The City of Gardner adopted a Growth Management Strategy (Resolution 1940) in November 2015. The Growth Management Strategy identifies areas appropriate for annexation.

The document gives consideration to improving community infrastructure, accommodating planned development, buffering existing neighborhoods, improving traffic flow through the city, improving future access to I-35 and development of the community through planned growth. These items are related to capital improvements planning. The Capital Improvements Element can assist with this process by anticipating the land acquisition, infrastructure, facility, and service needs of existing developed areas and future growth areas.

POPULATION PROJECTIONS

As of the 2010 Census, the City of Gardner population was 19,123. As of July 1, 2016, the Census estimate was 21,110. As part of an independent analysis in 2016, updated population projections were obtained for Gardner through the year 2040. According to the analysis prepared by GAI Consultants, Inc. (August 11, 2016 memo), these projections were based on trend lines, observed settlement patterns, and the market situation in the region.

The projections do not address the population if annexations of populated areas should occur. The complete population projection report is attached as an appendix to this document.



2015-2040 Summary Population Projections

	2015	2025	2040
Baseline Projection	20,868	25,790	36,580
CAGR ¹ (from 2015)		2.1%	2.3%
High Projection	20,868	29,000	51,270
CAGR (from 2015)		3.2%	3.6%
Low Projection	20,868	24,340	29,260
CAGR (from 2015)		1.6%	1.4%

¹CAGR means Cumulative Annual Growth Rate

Source: "Estimates and projections of population," Community Solutions Group. August 11, 2016.

The assumptions associated with each of these population projection scenarios are shown in the Community Solutions Group memo. For the purposes of the 5-Year Schedule of Capital Improvements, the Baseline Projection is used as the most likely scenario. The Baseline Projection assumes annexation of less than 1 square mile; natural population growth (birth and death rates) consistent with the national trend; maintaining the recent average flow of net migration in Johnson County; and maintaining a consistent net migration capture of 8-15% for City of Gardner.



RECREATION

As stated in the Parks, Open Space & Environmental Features Element of the 2014 Comprehensive Plan, "a robust network of parks, open space areas, and natural areas is one of the key components for the overall vision of Gardner."

The most recent update to the Park System Master Plan occurred in 2009. The recommended level of service (LOS) for park acreage is 12 acres per 1,000 residents for 2020. Based on the 2025 Baseline Projection from Community Solutions Group, that would require approximately 309.5 acres of parklands by 2025 ($25,790/1,000 \times 12$). That acreage need is currently being met because the 2017 total park acreage is 340 acres. Of this total, 319 acres are developed and 21 acres are undeveloped. There are 63 additional park acres that are maintained by the Parks and Recreation Department but are not owned by the City of Gardner (some of the 63 acres that are associated with a wetland park owned by Kansas City Power and Light may be deeded to the City).

Using the 2040 Baseline population from Community Solutions Group, the projected population increase to 36,580 would require approximately 439 acres of parkland. This represents an addition of 99 additional park acres by 2040 (this represents an average annual need for 4.5 additional park acres from 2018 to 2040).

The 5-Year Schedule of Capital Improvements includes components for land acquisition and construction for the St. Johns Trace Neighborhood Park to meet some of this projected need. In addition, land acquisition for Greenway & Bike Trail land is shown in the 10-Year Schedule of Improvements. Additional land acquisition needed for the Westside Sports Complex Improvements & Development and the Community Center & Sports Complex are also shown in the 10-Year Schedule of Capital Improvements. In the 10+ Year Schedule of Improvements, land acquisition is shown for the City Hall Plaza and Civic Green projects.

Some of the high priority recommendations for park facilities in the Park System Master Plan have been achieved. This includes trail reconstruction work.

It should be noted that the 2009 Park System Master Plan projected a population of 44,600 in 2020 for Gardner. Since 2009, population growth has slowed, and that projection is high especially when considering that the most recent Baseline projections show a lower population in 2040 (36,850) than the Master Plan projected for 2020.

In previous years, joint use of public school recreation facilities occurred. This joint use may be limited in upcoming years, which will require the City of Gardner to provide additional facilities.



The goals established in the 2009 Park System Master Plan are as follows:

1. Conduct a Community Center Feasibility Study
2. Expand the Greenway and Trail System
3. Acquire additional park land
4. Improve and maintain existing facilities
5. Develop new facilities and amenities to meet the needs of a rapidly growing population
6. Adopt and enforce Trail System Design Guidelines
7. Adopt and enforce Landscape Guidelines

The Capital Improvements Element specifically relates to Goals 2, 3, 5. As indicated previously, the 5-Year Schedule includes funding for land acquisition and park development for the St. Johns Trace Neighborhood. The 10-Year Schedule also shows additional land acquisitions for parks and recreational facilities.

The Parks, Open Space & Environmental Features Element of the Comprehensive Plan contains recommendations for the City. The recommendations specifically related to this Capital Improvements Element are:

- Continued implementation of the 2009 Park System Master Plan that includes acquisition of additional parkland and installation of new recreational facilities where feasible.
- Identification of funding sources for future park expansion, maintenance, and operations.
- Budget within the CIP for the acquisition and construction of new greenway rights-of-way.
- Ensure that all residential areas are adequately served by neighborhood and community parks through easements or subdivision regulations that require dedicated and attractive open spaces.

One of the recommendations from the Recreation Element concerning "ensuring that all residential areas are adequately served by neighborhood and community parks through easements or subdivision regulations that require dedicated and attractive open spaces" has been implemented in the City's Land Development Code.

For additional information, please see the City of Gardner Parks and Recreation Master Plan and 2009 update to the Plan.



Gardner Destination Downtown Plan

In 2018, the City of Gardner adopted the Gardner Main Street Corridor Plan which included recommendations to enhance quality of life and sense of place in key areas adjacent to the US-56 corridor. The plan for the Downtown Core Subarea visualized the transformation of several underutilized or vacant parcels into large central community spaces. In 2020, the City adopted the Gardner Destination Downtown Plan, which went a step further to plan new public spaces for a civic heart in Downtown and to improve streets and streetscapes to reinforce the Downtown identity. The final concepts for new public spaces include changes to three areas in the heart of Downtown, including a new City Hall Plaza, Cornerstone Park improvements, and a new Civic Green to connect these areas. City Hall improvements include a pedestrian plaza and promenade to the east and west of City Hall, public art, a public farmer's market building, and natural

stormwater improvements enhancing new gathering spaces. Cornerstone Park improvements include a 3,400 square foot multi-purpose building, interactive water feature, destination playground, and picnic shelters. The civic green linking these two areas features an amphitheater lawn, botanical gardens, and shaded outdoor seating.

These civic recreational projects are added to the 5-Year, 10-Year, and 10+ Year Schedules. Phasing could change based on the availability of funding or adjacent catalytic development opportunities.

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ELECTRIC

The most recent Electric Master Plan (Meers Engineering, Inc.) is for the years 2007-2020 and it was produced in November 2006. Population growth has slowed since that time due to the long-term impacts from the recession.

Given the fact that the Electric Master Plan is over 10 years old and does not account for population growth changes due to the recession, a new 2017 Electric Master Plan Summary of System Improvements was provided by the City of Gardner Utilities Director.

The 2017 Electric Master Plan lists capital improvements needed through the year 2040.

Additional electric projects beyond the 5-year timeframe are shown in the 10-Year schedule of Capital Improvements and the 10+ Year Schedule of Capital Improvements.

For additional information, please see the Electric Master Plan 2007-2020 (Meers Engineering, Inc.) and the 2017 Electric Master Plan Summary of System Improvements.

POTABLE WATER

The Water Master Plan was recently updated in May 2017 by Professional Engineering Consultants. As stated in the report, "the City of Gardner's water supply and distribution system consists of raw water intake and pumps at Hillsdale Reservoir, Hillsdale Water Treatment Plant (WTP), high service pumps and storage reservoirs at the WTP, and storage facilities, low service/booster pump stations, and waterlines throughout the City's distribution system."

The Water Master Plan Update notes the following:

- A large number of components in the system are either nearing capacity or are already under capacity to meet current maximum day (MD) demands.
- The system lacks redundancy to maintain adequate operation under a large emergency event.

The Master Plan Update also recommends that the City's existing raw water intake capacity and existing Hillsdale Water Treatment Plant capacity be designed and upgraded to meet the maximum day demand.

In 2019, a 3.0 MGD Expansion began on Hillsdale Water Treatment Plant including a redundant raw water pipeline from Hillsdale Lake.

Listed capital improvements in the 5-Year and 10-Year Schedule include transmission / capacity enhancements to meet current water demands, and improvements/upgrades to existing facilities.

There are additional potable water improvements shown in the 10+ Year Schedule of Capital Improvements.

For additional information, please see the City of Gardner Water Master Plan Update dated May 2017.



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WASTEWATER

The 2009 Wastewater Master Plan was recently updated in May 2017 by HDR. As stated in the HDR update, "the wastewater master plan update identifies projected wastewater peak flows and evaluates the capacity of the existing collection and conveyance system to convey these projected peak flows without backups of wastewater into residences and businesses and without sanitary sewer overflows." The updated Wastewater Master Plan establishes the facilities needed for conveyance and treatment of wastewater generated within current Gardner city limits and anticipated growth areas (annexation areas) beyond the City's current boundaries.

Projects that fall within the ~~2020-2024~~ timeframe are shown in the 5-Year Schedule include a new Wastewater Treatment Plant south of I-35 and 175th Street.

Projects that fall within the ~~2025-2029~~ are shown in the 10-Year Schedule of Capital Improvements. And, there are additional projects that fall in the 10+ Year Schedule of Capital Improvements.

Several of the projects listed in the HDR report were listed as being at the City's discretion. These were not included in the Capital Improvements Element, but they can be added in an annual update as the City determines whether to implement them.

For additional information, please see the City of Gardner Wastewater Master Plan Update by HDR dated May 2017.

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TRANSPORTATION

The City's transportation system consists of roadways, trails, sidewalks, transit services, and airports. The City of Gardner is responsible for the local streets. Maintenance of state and federal highways is under the purview of the Kansas Department of Transportation. Transit service ("JO") to specific locations in Gardner is operated by the Johnson County Transit Department.

New development in Gardner increases the number of trips (vehicle, bicycle, and pedestrian) on the transportation system. Additionally, trips and traffic congestion impacting Gardner can occur due to development in surrounding localities.

As stated in the Transportation & Mobility Element of the Comprehensive Plan, "the Gardner Transportation Plan identifies a number of future roadway segments that would enhance connectivity throughout the community and support future land use..."

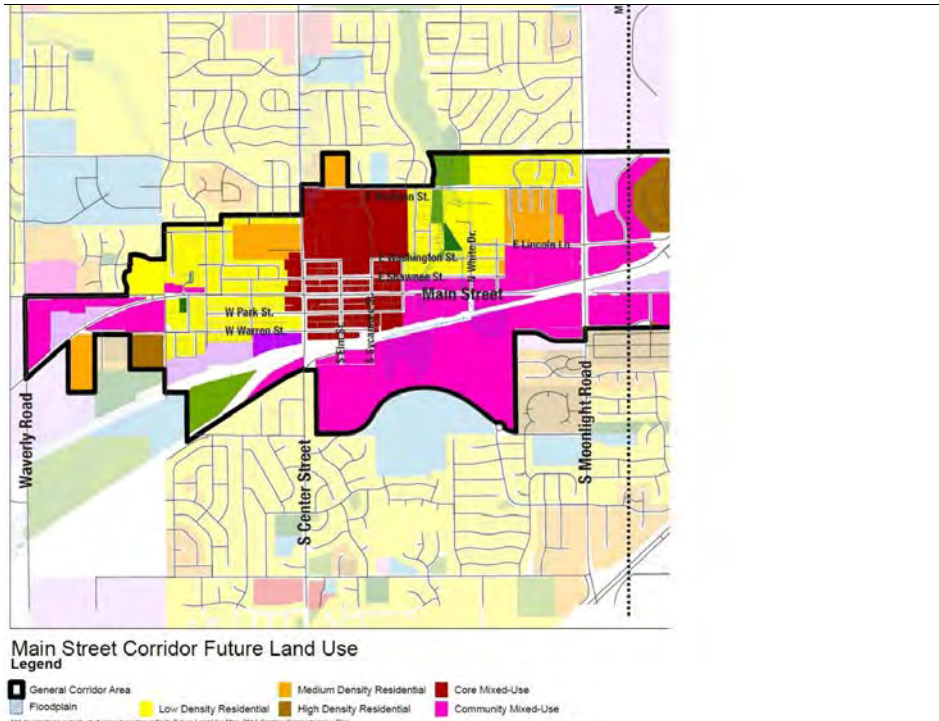
The list of transportation projects is based on an HDR 2020 update of 2017 Transportation Master Plan and 2020 Airport Master Plan by PEC. The list was developed with City staff based on existing conditions, existing congestion issues, and long-term growth projections. The list also includes projects developed as a result of the *Gardner Main Street Corridor Plan* adopted in 2018.

The Main Street Corridor Plan included recommendations to improve corridor function and connectivity and enhance economic competitiveness along the US-56 Corridor. In 2020, the City adopted the Gardner Destination Downtown Plan, which went a step further to balance vehicular and non-vehicular activity in improved streetscapes that are authentic to the character of Gardner.

The plan also addressed necessary ADA and mobility improvements, including a mobility hub to accommodate diverse transportation options. Some of the recommended street improvements are intended to facilitate connections between the new public spaces north of City Hall (E. Shawnee and E. Washington Streets). Others are intended to improve the corridor function, enhance the pedestrian environment, accommodate diverse transportation options, and further define the character of Downtown streetscapes.

Phasing of these projects could change based on the availability of funding or adjacent catalytic development opportunities.

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The Gardner Main Street Corridor Plan was developed through an extensive collaborative process that included community leader citizens, design professionals, and economic specialists. They worked together to create a more welcoming experience on the corridor while also increasing the multi-modal activity along Main Street to attract redevelopment and increase revitalization efforts that can play a significant role in improving the quality of life for those who live and work in Gardner.

The transportation capital improvements projects are shown in the 5-Year, 10-Year, and 10+ Year Schedules.

For more information about the individual transportation projects, please see the Gardner Transportation Master Plan and Draft Transportation Projects List (May 12, 2017) and the Gardner Main Street Corridor Plan (2018).

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IMPLEMENTATION & FUNDING

The Capital Improvements Element and 5-Year Schedule of Capital Improvements are powerful planning tools for the City of Gardner to use for implementing its Comprehensive Plan, Growth Management Strategy, and master plans.

To be most effective, the following recommendations are included:

- The 5-Year Schedule should be updated annually in association with the City's 5-Year Capital Improvements Program to reflect project completions, new projects and facility needs, and revised project schedules. Revisions to the 10-Year Schedule and 10+ Year Schedule also should occur annually and as master plans are updated.
- The 5-Year Schedule should reflect the priorities set in the Comprehensive Plan and by the City Council to correct deficiencies, maintain existing levels of service, allow for growth and development in the community, and accommodate annexations that may occur.
- As annexations occur, the public facility and service needs of the annexed area should be reviewed in relation to the Capital Improvements Element, 5-Year Schedule of Capital Improvements, 10-Year Schedule of Capital Improvements, Master Plans, and funding sources.
- The City should review its development fees associated with utilities, transportation, and recreation to ensure that new development is paying its fair share costs of the infrastructure and services needed to support the development.

5-Year Schedule of Capital Improvements 2020 - 2024

Project	2020	2021	2022	2023	2024
Electric Utilities					
Generator Breakers Unit 1 & 2	100,000				
Replace Lube Oil Coolers Unit 1	100,000				
Remote Apparatus Distribution Points Ph. 2	100,000				
Circuit 31 Overhead Rebuild					150,000
New Substation Metering Station		500,000			
Overhaul Diesel Engine Unit 1		50,000			
Cedar Niles to Claire Rd Overhead Power Line		200,000			
Gardner Elementary Underground Project			30,000		
Upgrade Combustion Turbine Controls			450,000		
Prairie Trace 3 Phase Underground Power Line			300,000		
35-45 Padmount Switchgear Cabinet Replacement				75,000	
Parks & Recreation					
Trail Resurfacing	395,000				
Quail Meadows Trails	375,000				
Potable Water					
Replace Media Filter			170,000		
Water Transmission Pre-Design			1,100,000		
New Intake Structure			200,000	3,300,000	
Quail Meadows Water Main Extension					500,000
Line Maintenance Building				437,500	

5-Year Schedule of Capital Improvements 2020 - 2024

Project	2020	2021	2022	2023	2024
Wastewater					
Replace BDP Belt Press at Kill Creek Facility	500,000				
WWTP Clarifier 1&2 Improvements	400,000				
Replace UV System	550,000				
Nike Lift Station & Forcemain Improvements	365,000				
Remove Sunset Lift Station	177,500				
South Wastewater Treatment Plant	500,000	27,500,000			
Advanced Nutrient Removal at WWTP			450,000	5,400,000	
Line Maintenance Building				437,500	
Transportation					
I-35 & Gardner Road Interchange Improvements	5,795,000				
Moonlight Road Safe Routes to Schools	402,000				
Main Street US-56, Sycamore to Moonlight	150,000	3,541,000			
Gardner Rd. Bridge Over I-35		600,000	9,400,000		
Moonlight & Madison Traffic Signals	514,000				
Waverly Road Reconstruction from 175 th to Madison		3,240,000			
Moonlight Road Rehab (I-35 to Buffalo Trail)		25,000	384,000		
Center Street Rehab (Main to 167 th)			10,000	461,000	
Center Street Sidewalks Improvements			34,000	543,000	
167th Street Center to Moonlight					40,000
Transportation – Airport					
Acquire Land – Gardner Property (FAA)				402,500	
Terminal Building and FBO Hangar (KAIP)				1,000,000	

10-Year Schedule of Capital Improvements 2025 - 2029

Project	2025	2026	2027	2028	2029
Electric Utilities					
Substation 1 Upgrade T2 to 30 MVA	850,000				
New Feeder Breakers for T2	450,000				
12.5kV Distribution Feeder Construction	350,000				
New 30 MW Generation Capacity				30,000,000	
Land Acquisition for Cedar Niles Substation Construction					400,000
Potable Water					
3.0 MGD WTP Expansion			6,000,000		
Redundant 18-inch Treated Water Transmission Line		7,150,000			
Upgrade Raw Water Pump Station		630,000			
Wastewater					
White Drive Gravity Main Replacement	165,000	2,035,000			
WWTP: New Gravity Interceptor 1 & 2	686,000	1,095,000			

Parks & Recreation 10-Year Schedule of Capital Improvements 2025 - 2029

Project	Year	Projected Cost
Cornerstone Park Improvements Phase I	2027	2,600,000
Wetland Park Improvements	2025-2029	100,000
Quail Meadows Park	2025-2029	600,000
Dog Park	2025-2029	350,000
Reconstruct Celebration Parking Lot	2025-2029	1,150,000
Westside Sports Complex Improvements	2025-2029	662,000
Regional Sports Tourism & Training Complex	2025-2029	19,000,000

Transportation 10-Year Schedule of Capital Improvements 2025 - 2029

Project	Year	Projected Cost
167th Street Center to Moonlight	2025	270,000
Main ST, Center to Sycamore Improvements	2025	6,300,000
Elm ST, Washington to Main Improvements	2025	620,000
Elm ST, Main to Warren Improvements	2025	610,000
183 rd Rehab from Center to West	2026	310,000
Park ST, Elm to Sycamore (Improved sidewalks, streetscape)	2027	360,000
Sycamore ST, Main to Warren (Improved sidewalks, streetscape)	2027	275,000
Gardner Lake Spillway	2025 - 2029	750,000
US-56 and I-35 SB Ramp Improvement and Signal	2025 - 2029	500,000
US-56 and I-35 NB Ramp Improvement and Signal	2025 - 2029	650,000
US-56 and Waverly Road Intersection	2025 - 2029	3,000,000
US-56 Access Waverly to Four-Corners (concept study)	2025 - 2029	120,000
Main St. US-56, Moonlight to Bridge (CCLIP)	2025 - 2029	3,790,000
Moonlight RD 3-lane section (Warren ST to Grand ST)	2025 - 2029	2,300,000
Moonlight RD (Main to University)	2025 - 2029	900,000
Center ST 3-lane Section (Madison ST to 167 th ST)	2025 - 2029	500,000-1,000,000
175 th ST and Clare RD Intersection Improvements	2025 - 2029	500,000
US-56 & New Century Parkway Interchange Reconstruction	2025 - 2029	2,000,000
Gardner Road, widen to 4 lanes from I-35 south to City Limits	2025 - 2029	4,225,000
I-35 / Gardner RD Interchange Improvements	2025 - 2029	15,000,000
191 st St, widen to 3 lanes from Gardner Road west to City Limit	2025 - 2029	2,000,000
East Santa Fe, widen to 3 lanes from Cedar Niles to Moonlight	2025 - 2029	5,000,000
183 rd Reconstruction to Moonlight	2025 - 2029	3,000,000
Park Street Mobility Hub	2025 - 2029	150,000
Park Street, Center to Elms Street Improvements	2025 - 2029	360,000
Center Street, Main to Washington Improvements	2025 - 2029	300,000
Transportation - Airport		
Property Easement Acquisition 18.5 acres Leftman/Gordon (FAA)	2025-2029	220,000
AGIS Survey	2025-2029	100,000
Primary Runway 17-35 (FAA)	2025-2029	3,400,000
Runway 8-26 – Turf (FAA)	2025-2029	201,250
New 20 Unit T-Hangar	2025-2029	1,000,000

10 + Year Schedule of Capital Improvements 2030 - 2049

Project	Year	Projected Cost
Electric Utilities		
Cedar Niles Substation New Construction	2032	4,800,000
Substation 3 Upgrade/Construction	2033	3,200,000
New 30 MW Generation Capacity	2038	30,000,000
Cedar Niles Substation Upgrade	2040	2,250,000
Potable Water		
3.0 MGD WTP Expansion	2037	7,500,000
3.0 MGD WTP Expansion	2047	7,500,000
Acquire Additional Water Rights	2040	Varies
Wastewater		
Wastewater Treatment Plant Expansion	2032	16,820,000
Parks & Recreation		
City Hall Plaza (property acquisition & construction)	2030	3,600,000
Civic Green (property acquisition & construction)	2032-2034	1,600,000+
Cornerstone Park (Phase 2) Multi-Purpose Building	2038	2,000,000
Transportation		
Gardner Lake Dredging	2030-2040	2,000,000
I-35/US-56 Interchange Improvements	2030-2040	20,000,000
175 th ST Widen to 4-lanes (I-35 to Hedge Lane)	2030-2040	12,000,000
175 th and Clare Road Intersection Improvements	2030-2040	3,000,000
167 th ST 3-lane Section (Center ST to Moonlight RD)	2030-2040	4,000,000-12,000,000
Moonlight & Main Intersection Improvements (Study)	2030-2040	50,000
US-56 / Cedar Niles / Santa Fe	2030-2040	15,000,000
US-56 & 175 th ST & Poplar Street Intersection Improvements	2030-2040	3,000,000
Cedar Niles Road Extension	2030-2040	7,000,000
US-56 Widen to 6 Lanes (Moonlight Road to I-35)	2030-2040	15,000,000
New I-35/183 rd Interchange	2030-2040	25,000,000
White Drive Connection (Main Street to Warren)	2030-2040	20,000,000
Center ST, Main to Warren Improvements	2033	210,000
Warren ST, Center to Sycamore Improvements	2033	515,000
Shawnee ST, Center to Elm Improvements	2035	1,300,000
Washington ST, Center to Elm Improvements	2035	900,000
Shawnee ST, Elm to Sycamore Improvements	2037	350,000
Sycamore ST, Main to Shawnee Improvements	2039	160,000

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10 + Year Schedule of Capital Improvements
2030 - 2049

Transportation – Airport		
Environmental Assessment	2030-2040	100,000
Pavement Management	2030-2040	285,000
Master Plan and ALP	2030-2040	120,000
Terminal Apron	2030-2040	1,000,000
Taxiway Lighting System	2030-2040	195,000
17-35 Parallel Taxiway	2030-2040	1,150,000

Planning Commission
RESOLUTION NO. PC-20-01

A RESOLUTION ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE
CITY OF GARDNER, KANSAS AMENDING CHAPTER 12 CAPITAL IMPROVEMENTS
ELEMENT.

WHEREAS, the City of Gardner has a duly constituted Planning Commission as provided by K.S.A 12-744; and

WHEREAS, pursuant to K.S.A. 12-747(a), the Gardner Planning Commission is authorized to make or cause to be made a comprehensive plan for the development of the City of Gardner and any unincorporated territory lying outside of the City but within the same County in which the City is located, which in the opinion of the Planning Commission, forms the total community of which the City is a part; and

WHEREAS, pursuant to K.S.A. 12-747(b), the Gardner Planning Commission is authorized to make recommendations to the Governing Body of the City relating to the adoption and amendment of a comprehensive plan by a single resolution or by successive resolutions and is further authorized to adopt or amend parts of the comprehensive plan for the City of Gardner; and

WHEREAS, the City of Gardner adopted a Comprehensive Plan titled "City of Gardner Comprehensive Plan", approved with Ordinance 2457 on September 15, 2014; and amended with Ordinance No. 2517 on June 20, 2016, and Ordinance No. 2553 on September 18, 2017, Ordinance No. 2554 on September 18, 2017; and Ordinance No. 2574 on April 16, 2018; and

WHEREAS, the Planning Commission has determined a need to amend the adopted comprehensive plan; and

WHEREAS, the Planning Commission has proposed amendments to Chapter 12 Capital Improvements Element to assist in implementation of the plan; and

WHEREAS, proper notice was published in the official City newspaper once at least twenty (20) days prior to the public hearing on the proposed amendment to the City of Gardner Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment to the City of Gardner Comprehensive Plan on September 22, 2020 at which public comments were encouraged; and

WHEREAS, it was moved and seconded that the amendment to the City of Gardner Comprehensive Plan be adopted by the Planning Commission and forwarded to the Governing Body with a recommendation for approval; and

WHEREAS, the motion passed.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GARDNER, KANSAS, that the proposed amendment to the City of Gardner Comprehensive Plan be adopted and hereby recommended to be approved by the Governing Body.

The City of Gardner Comprehensive Plan shall be amended to include amendments to Chapter 12 Capital Improvements Element.

ADOPTED by the Planning Commission of the City of Gardner, Kansas this 22th day of September, 2020.

Bradley Austin, Chairman

Larry J. Powell, Secretary

The Legal Record

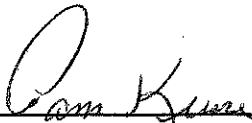
1701 E. Cedar St., Ste. 111
Olathe, KS 66062-1775
(913) 780-5790

CITY OF GARDNER
120 E MAIN ST
GARDNER KS 66030-1310

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing
Clerk for The Legal Record which is a newspaper
printed in the State of Kansas, published in and of
general paid circulation on a weekly, monthly or
yearly basis in Johnson County, Kansas, is not a
trade, religious or fraternal publication, is published
at least weekly fifty (50) times a year, has been so
published continuously and uninterrupted in said
County and State for a period of more than one
year prior to the first publication of the notice
attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice was
published in all editions of the regular and entire
issue for the following subject matter (also
identified by the following case number, if any) for
1 consecutive week(s), as follows:

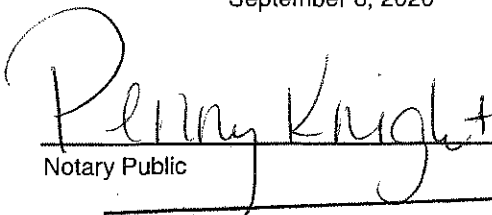
AMENDMENTS TO THE COMPREHENSIVE
PLAN, SEPTEMBER 22, 2020
9/8/20



Pam Kruse, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

September 8, 2020



Notary Public

PENNY KNIGHT
Notary Public-State of Kansas
My Appt. Expires Dec. 31, 2021

First published in The Legal Record, Tuesday, September 8, 2020.
CITY OF GARDNER
NOTICE OF PUBLIC HEARING
OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED, pursuant to the provisions of K.S.A. 12-747 and 12-744, and all acts supplemental and amendatory, NOTICE IS HEREBY GIVEN THAT the Gardner Planning Commission shall hold a public hearing at 7:00 p.m. at the Gardner City Hall, 120 E. Main Street, September 22, 2020, to consider amendments to the Comprehensive Plan for the City of Gardner, Kansas amending Chapter 12 Capital Improvements Element.

The residents of the City of Gardner, Kansas, are encouraged to attend this public hearing, and make comments for the record.
9/8/9/15

PROJECT NUMBER / TITLE: PP-20-10 for Symphony Farms, Phase V & VI and FP-20-09 for Symphony Farms V

PROCESS INFORMATION

Type of Request: Preliminary Plat and Final Plat

Date Received: August 7, 2020

APPLICATION INFORMATION

Applicant: Schlagel & Associates, PA

Owner: Lifestyle Building & Design, LLC

Parcel ID: CF221415-2017 & CF221415-2013

Location: Northeast of the intersection of W 167th Street and Kill Creek Road.

REQUESTED ACTION

The applicant has requested approval of a preliminary plat for Symphony Farms, Phase V & VI a 106 lot single family subdivision and a final plat for Symphony Farms V a 54 lot single family subdivision located northeast of the intersection of W 167th Street and Kill Creek Road.

EXISTING ZONING AND LAND USE

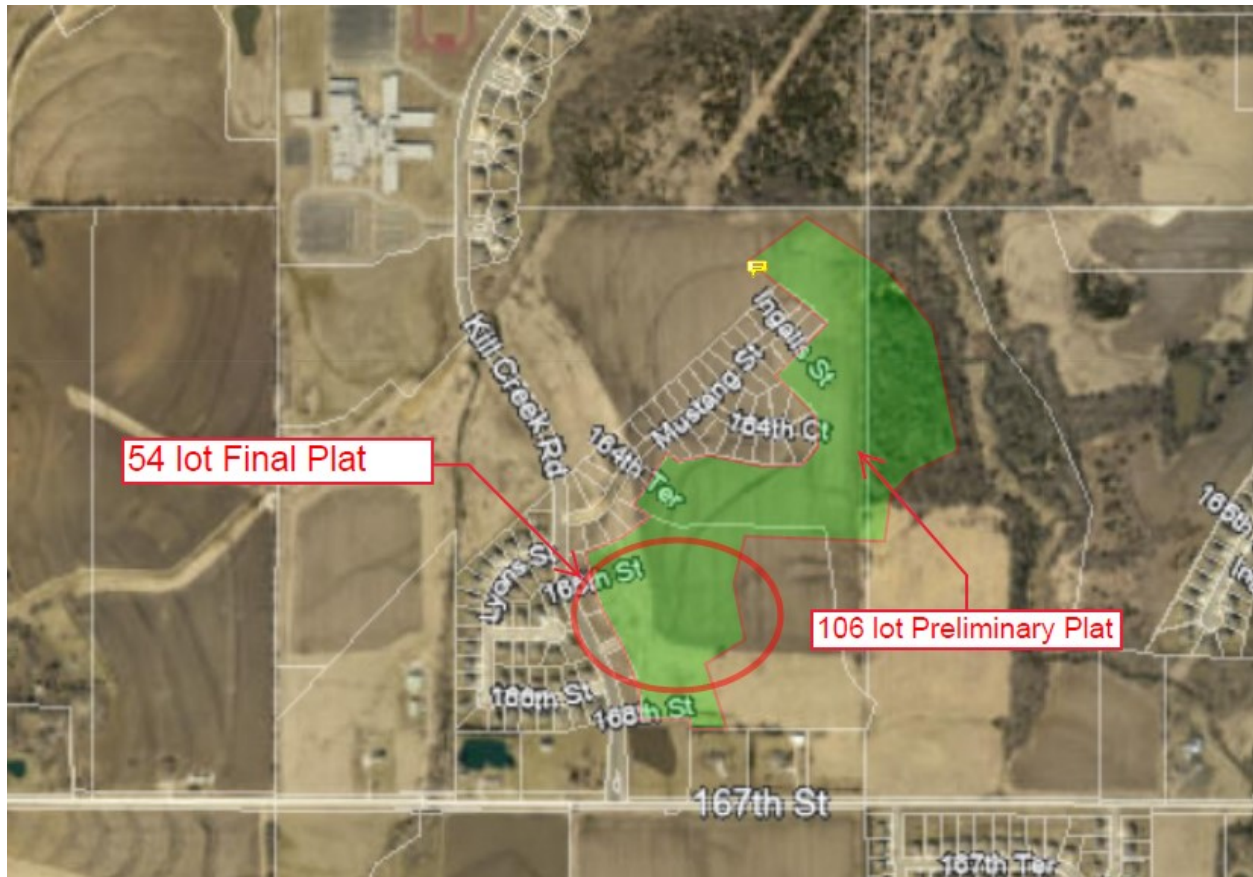
Currently the property is zoned R-1 (Single-Family Residential) and current land use is undeveloped.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
County RUR (Rural, Agricultural uses and Single-Family dwellings) District	Vacant property
East of subject property	
A (Agricultural) District	Vacant property
South of subject property	
County RUR (Rural, Agricultural uses and Single-Family dwellings)	Single Family homes and vacant property
West of subject property	
R-1 (Single-Family Residential) District	Symphony Farms, Phases 1 - IV

EXISTING CONDITIONS

The project is proposed to be approximately 15.89 acres of an overall 39.65 undeveloped parcel.



BACKGROUND / HISTORY

This parcel was annexed into the City in 2003 (Ordinance No. 2064). Also in 2003, an application to rezone the parcel from A (Agriculture) District to R-1 (Single-Family Residential) District was approved (Ordinance No. 2082). In 2005, a preliminary plat (known at the time as Reserve at Kill Creek) was approved for a large single-family residential subdivision. No final plat was ever approved in the subject location, and the site remains undeveloped.

CONSISTENCY WITH COMPREHENSIVE PLAN

The *City of Gardner 2014 Comprehensive Plan* identifies this parcel for low-density residential future land use, described as “areas primarily consist of detached single family and duplex housing. These “New Residential Growth Areas” include undeveloped land that provides a “clean slate” for future residential development. The Comprehensive Plan addresses these growth areas as having three major components that help to ensure the community’s goals of providing high quality neighborhoods that satisfy demand for a broad type of housing. These goals are; neighborhood character, connectivity, and open space preservation & conservation design. The design and layout the applicant is proposing is consistent with the goals of the Comprehensive Plan.

STAFF ANALYSIS - PRELIMINARY PLAT

17.03.020 (D1) Review Criteria:

1. The application is in accordance with the Comprehensive Plan and in particular the physical patterns, arrangement of streets, blocks, lots and open spaces, and public realm investments that reflect the principles and concepts of the plan.

Staff Comment: *The application is in accordance with the Comprehensive Plan with regard to the physical patterns, arrangement of streets, blocks, lots and open spaces, and public realm investments that reflect the principles of the plan. The applicant is proposing a preliminary plat for 106 lots, with a linear nature area, and right-of-way dedication on approximately 39.65 acres. Properties directly adjacent to the development are primarily single-family residential and agricultural. The Comprehensive Plan also calls for plans in the "New Residential Growth" areas to implement a sidewalk/trail infill program that includes pedestrian through-access, connecting residential subdivisions through footpaths and trails.*

2. Compliance with the requirements of this Land Development Code, and in particular the blocks and lots proposed are capable of meeting all development and site design standards under the existing or proposed zoning.

Staff Comment: *The plat meets the site design standards regarding lot size minimum, block length, cul-de-sac length and easements. The plan complies with the requirements of the Gardner Land Development Code in that the blocks and lots proposed can meet all development and site design standards. The development is proposed to be a Detached House - Suburban building type for single-family residential, with a Suburban Yard frontage design type.*

3. Any phasing proposed in the application is clearly indicated and demonstrates a logical and coordinated approach to development, including coordination with existing and potential development on adjacent property.

Staff Comment: *There are two (2) phases proposed for this preliminary, starting with the southern section and then continuing north until the subdivision is fully developed.*

4. Any impacts identified by specific studies or technical reports, including a preliminary review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.

Staff Comment: *The Stormwater Plans and Transportation Impact study have not yet been approved. This will be a condition of approval.*

5. The application does not deter any existing or future development on adjacent property from meeting the goals and policies of the Comprehensive Plan.

Staff Comment: *This plat application will not deter any existing or future development on adjacent property. The adjacent property is mainly developed with single-family residential which is what is planned for this property and is consistent with the comprehensive plan.*

6. The design does not impede the construction of anticipated or planned future public infrastructure within the area.

Staff Comment: *This application does not impede the construction of planned or future public infrastructure. This project will connect incomplete streets in the area and provide more options for access to Kill Creek Road.*

7. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Comment: Staff recommends approval of the preliminary plat of Symphony Farms, Phase V & VI with conditions outlined below.

FINAL PLAT

17.03.020(E)(1) Review Criteria:

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.

Staff Comment: The final plat and associated street plan is in substantial compliance with the preliminary plat which is being considered at the same Planning Commission meeting as preliminary plat (PP-20-10). The applicant has not proposed any changes from the preliminary plat to the final plat.

The street tree plan associated with the final plat has been reviewed by staff, and is in substantial compliance with street tree standards outlined in the Land Development Code.

- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.

Staff Comment: Public improvement plans shall be submitted and approved prior to the release of the final plat for recording at the County (this is a recommended condition of approval). The City is the provider for sanitary sewer, water, stormwater, and electric facilities in this area.

- c. The phasing and timing of public improvements ensures construction and performance guarantees.

Staff Comment: Public improvement plans shall be submitted and approved prior to the release of the final plat for recording and issuance of building permits to ensure all improvements are in place.

- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.

Staff Comment: There are no deviations requested from the preliminary plat.

- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Comment: Staff recommends the Planning Commission approve the final plat for 54 single-family residential lots and associated street tree plan with the conditions outlined below, and forward a recommendation to the Governing Body to accept the dedication of any rights-of-way and easements.

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

UTILITIES – All City utilities are available to this site. Stormwater Management Plan has not been approved by the Public Works Department. This will be a condition of approval.

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

Internal road networks within the subject property will connect to Kill Creek Road through the extension of several stub streets. All streets will have 5' wide sidewalks and the entire east side of this preliminary plat is a nature area.

EXCISE TAX

Excise tax is levied with the act of platting the portion of the property in the city. Any of the subject property that has never been a part of a final plat before is therefore subject to paying the excise tax. This tax is based on the square footage of the plat property, excluding any arterial type right-of-way dedication for streets and parkland dedication.

The current tax rate is \$0.20 per square foot of land area platted. This plat includes 15.89 acres (692,168.40 s.f.) that has not paid excise tax before. **Therefore the excise tax shall total \$138,433.68.** This tax shall be paid prior to the Mayor signing an approved recordable plat.

ATTACHMENTS

- I. Preliminary plat document
- II. Final plat document
- III. Applications

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Preliminary Plat – The approval of the preliminary plat does not constitute an acceptance of the subdivision, but authorizes preparation of the final plat. If the Planning Commission tables a plat, the applicant shall have 60 days to submit information sufficient for approval or the application shall be deemed denied. The applicant may request that a denied preliminary plat be submitted to the Governing Body and the Planning Commission shall submit all information to the Governing Body, which can make a determination consistent with these regulations. The approval of the preliminary plat shall be effective for 18 months, except that any approval of a final plat for any phase specifically indicated on a preliminary plat shall renew the 18-month period. The Planning Commission may grant an extension of this period for up to one year, if the applicant demonstrates substantial progress towards the design and engineering requirements necessary to submit a final plat.

Final Plat – If the Planning Commission approves or conditionally approves the final plat, the plat shall be forwarded to the Governing Body with a recommendation that they accept dedication of land for public purposes such as easements, rights-of-way and public facilities. The approval of the final plat; acceptance of the dedication of land for public purposes; finding that the construction plans for any utilities, infrastructure or public facilities meet all City technical specifications; and payment of the excise tax if applicable, authorizes the filing of the plat with the Johnson County Records and Tax Administration. Any approval with conditions or exceptions to the rules shall be clearly stated on the plat. Any plat not recorded within two years from the date of acceptance of land by the Governing Body shall be null and void. Upon approval of the final plat, dedications, and construction plans and recording of the plat, the applicant may proceed with the construction

of required improvements. No building permit shall be authorized until the completion, inspection and acceptance of all required improvements.

RECOMMENDATION – PRELIMINARY PLAT

Staff recommends approval of the preliminary plat for Symphony Farms, Phase V and VI with the conditions outlined below in the recommended motion section.

Recommended Motion:

After review of case PP-20-10, a preliminary plat for Symphony Farms, Phase V and VI, Tax Ids CF221415-2017 & CF221415-2013, located northeast of the intersection of W 167th Street and Kill Creek Road and preliminary plat dated August 7, 2020 and staff report dated September 22, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. Approval of a Stormwater Management Plan and Traffic Impact Study by the Public Works Department.

RECOMMENDATION – FINAL PLAT

Staff recommends approval of the final plat for Symphony Farms V Plat with the conditions outlined in the Recommended Motion below.

Recommended Motion:

After review of application FP-20-09, a final plat for Symphony Farms V Plat, Tax Ids CF221415-2017 & CF221415-2013, located northeast of the intersection of W 167th Street and Kill Creek Road, and final plat dated August 7, 2020, and staff report dated September 22, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. Preliminary plat PP-20-10, shall be approved prior to the release of the final plat FP-20-09 for recording.
2. Approval of both the Traffic Impact Study and the Stormwater Management Plan by the City of Gardner Public Works Department.
3. Payment of excise tax to the City.

and recommends the Governing Body accept the dedication of right-of-way and easements.

FINAL PLAT OF
SYMPHONY FARMS V
PART OF THE SOUTH 1/2 OF SEC. 15-14-22
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS

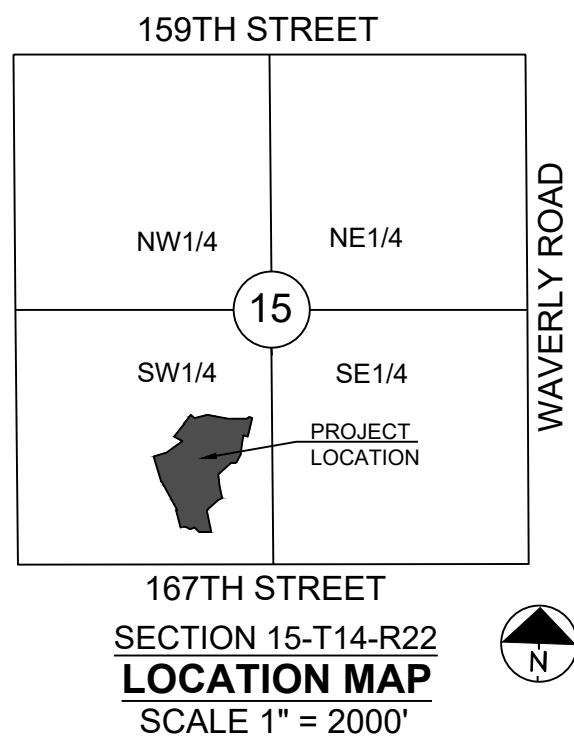
LOT #	AREA (SF)	LOT #	AREA (SF)
110	12,124.88	137	12,396.50
111	13,727.55	138	14,939.69
112	11,718.97	139	13,551.65
113	9,701.87	140	13,814.58
114	9,795.50	141	10,864.46
115	11,136.59	142	9,642.38
116	10,660.10	143	8,655.59
117	10,325.53	144	8,594.72
118	10,458.39	145	9,476.72
119	12,793.21	146	10,389.86
120	13,301.69	147	10,205.95
121	14,328.62	148	8,765.08
122	16,073.17	149	9,951.80
123	10,406.84	150	9,771.76
124	11,166.74	151	9,745.70
125	10,663.93	152	9,047.08
126	10,178.15	153	8,009.08
127	11,721.79	154	8,055.91
128	8,395.00	155	11,338.03
129	8,395.00	156	11,407.67
130	8,050.00	157	9,410.64
131	8,050.00	158	9,057.50
132	8,756.39	159	14,416.28
133	9,671.77	160	11,989.53
134	10,453.02	161	8,846.03
135	12,639.35	162	8,050.00
136	13,191.00	163	8,050.00
R/W		116,128.83	
TOTAL SITE		692,465.58	

- NOTES:
1. Basis of Bearings: Final Plat of Symphony Farms IV
 2. Subject property lies outside of the 100 year floodplain per FEMA FIRM No. 20091C0104G, revised August 3, 2009.
 3. Lot corners will be set after site construction.

ERROR OF CLOSURE:
Perimeter: 4045.69'
Error Closure: 0.02289065
Error North: -0.017964281
Error East: -0.014186844

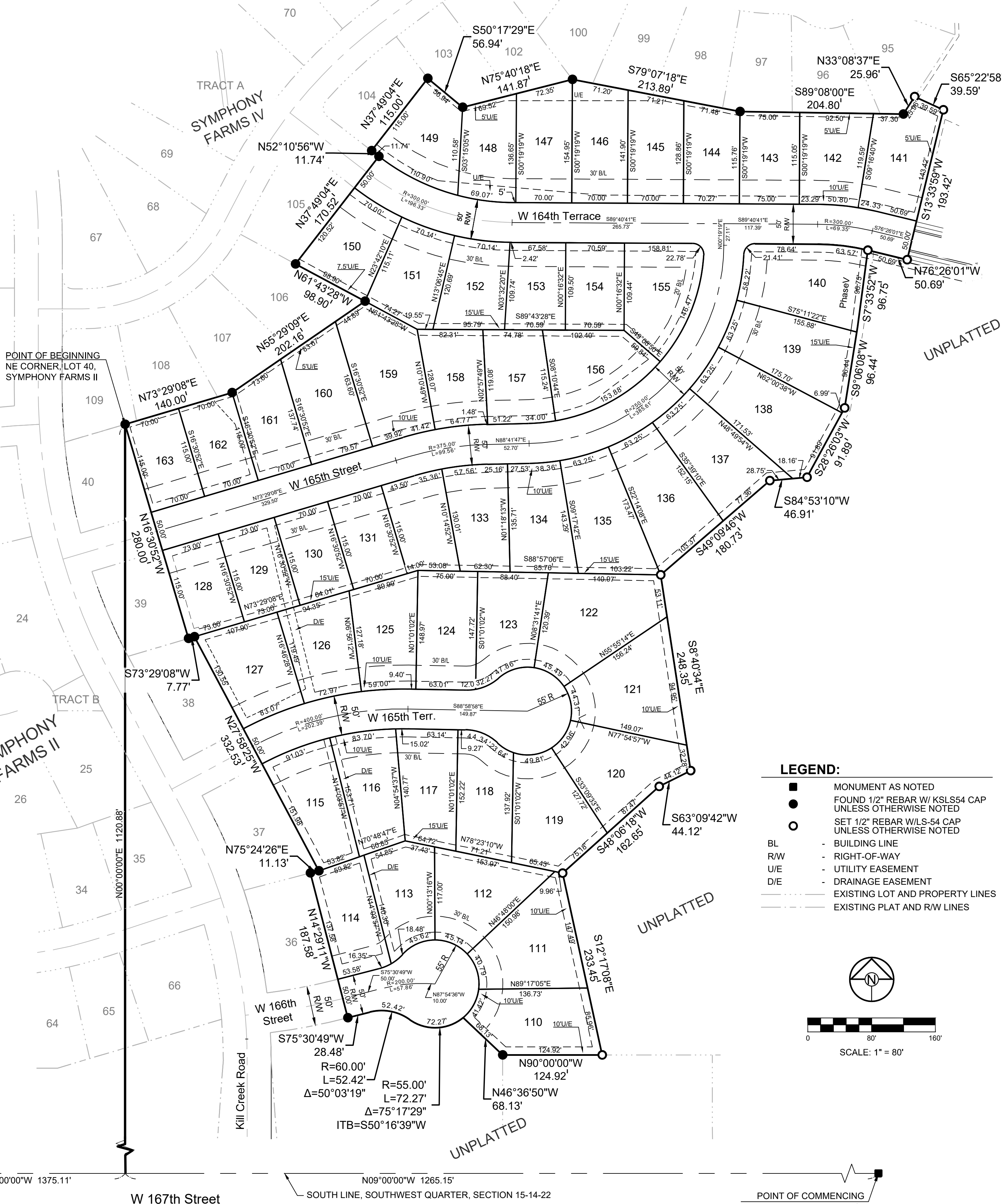
Precision 1: 176445.84

Area: 692465.58 Sq. Ft.
Course: S38° 17' 57"W
East: -0.014186844



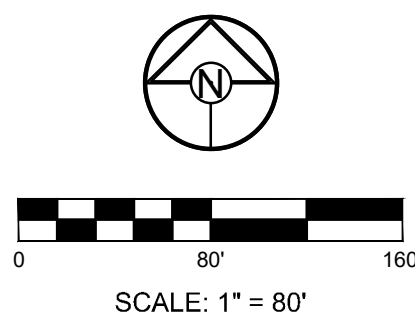
DEVELOPER:
LIFESTYLE BUILDING & DESIGN, LLC
CONTACT: JAMES HUMBERT
11237 NALL AVENUE, SUITE 100
LEAWOOD, KANSAS 66211
PHONE: 913-339-6050

SW CORNER, SW 1/4,
SECTION 15-14-22
FOUND 2" ALUMINUM CAP
STAMPED "JOHNSON
COUNTY SECTION
CORNER"



LEGEND:

- MONUMENT AS NOTED
- FOUND 1/2" REBAR W/ KSL S54 CAP UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-S4 CAP UNLESS OTHERWISE NOTED
- BL - BUILDING LINE
- R/W - RIGHT-OF-WAY
- U/E - UTILITY EASEMENT
- D/E - DRAINAGE EASEMENT
- EXISTING LOT AND PROPERTY LINES
- - - EXISTING PLAT AND R/W LINES



POINT OF COMMENCING
SE CORNER, SW 1/4,
SECTION 15-14-22
FOUND 2" ALUMINUM CAP
STAMPED "JOHNSON
COUNTY SECTION CORNER"

Legal Description

This is a survey and subdivision of a part of the Southwest Quarter of Section 15, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 15; thence North 90 degrees 00 minutes 00 seconds West, along the South line of said Section 15, a distance of 1265.15 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 1120.88 feet to the Northeast corner of Lot 40, Symphony Farms II, a subdivision in the City of Gardner, Johnson County, Kansas, also being a point of the South line of Lot 109, Symphony Farms IV, a subdivision in the City of Gardner, Johnson County, Kansas, and also being the point of beginning; thence North 73 degrees 29 minutes 08 seconds East along the South line of Lots 109, 108 and 107, of said Symphony Farms IV, a distance of 140.00 feet; thence North 55 degrees 29 minutes 09 seconds East along the South line of Lots 107 and 106, of said Symphony Farms IV, a distance of 202.16 feet to the Southeast corner of said Lot 106; thence North 61 degrees 43 minutes 28 seconds West along the North line of said Lot 106, a distance of 98.90 feet to the South corner of Lot 105, of said Symphony Farms IV; thence North 37 degrees 49 minutes 04 seconds East along the South line of said Lot 105 and its extension, a distance of 170.52 feet to a point on the North right of line of 164th Terrace now established; thence North 52 degrees 10 minutes 56 seconds West along said North right-of-way line of 164th Terrace, a distance of 11.74 feet to the South corner of Lot 104, of said Symphony Farms IV; thence North 37 degrees 49 minutes 04 seconds East along the East line of said Lot 104, a distance of 115.00 feet to the East corner of said Lot 104; thence South 50 degrees 17 minutes 29 seconds East along the South line of Lot 103, of said Symphony Farms IV, a distance of 56.94 feet to the South corner of said Lot 103; thence North 75 degrees 40 minutes 18 seconds East along the South line of said Lot 103 and Lot 102, of said Symphony Farms IV, a distance of 141.87 feet to the Southeast corner of said Lot 102; thence South 79 degrees 07 minutes 18 seconds East along the South line of Lots 100 through 97, of said Symphony Farms IV, a distance of 213.89 feet; thence South 89 degrees 08 minutes 00 seconds East along the South line of Lots 97 through 95, of said Symphony Farms IV, a distance of 204.80 feet to the Southeast corner of said Lot 95; thence North 33 degrees 08 minutes 37 seconds East along the East line of said Lot 95, a distance of 25.96 feet; thence South 65 degrees 22 minutes 58 seconds East, a distance of 39.59 feet; thence South 13 degrees 33 minutes 59 seconds West, a distance of 193.42 feet to a point of the South right-of-way line of said West 164th Terrace; thence North 76 degrees 26 minutes 01 seconds West along the South right-of-way line of said West 164th Terrace, a distance of 50.69 feet; thence South 7 degrees 33 minutes 52 seconds West, a distance of 96.75 feet; thence South 9 degrees 06 minutes 08 seconds West, a distance of 96.44 feet; thence South 28 degrees 26 minutes 03 seconds West, a distance of 91.89 feet; thence South 84 degrees 53 minutes 10 seconds West, a distance of 46.91 feet; thence South 49 degrees 09 minutes 46 seconds West, a distance of 180.73 feet; thence South 8 degrees 40 minutes 34 seconds East, a distance of 248.35 feet; thence South 63 degrees 09 minutes 42 seconds West, a distance of 44.12 feet; thence South 48 degrees 06 minutes 18 seconds West, a distance of 162.65 feet; thence South 12 degrees 17 minutes 08 seconds East, a distance of 233.45 feet; thence North 90 degrees 00 minutes 00 seconds West along a line parallel to the South line of said Section 15, a distance of 124.92 feet; thence North 46 degrees 36 minutes 50 seconds West, a distance of 68.13 to a point of curvature and also being a point on the South right-of-way line of West 166th Street, now established; thence Southwesterly along a curve to the right having an initial tangent bearing of South 50 degrees 16 minutes 39 seconds West, a delta angle of 75 degrees 17 minutes 29 seconds, a radius of 55.00 feet and an arc length of 72.27 feet along the South right-of-way line of said West 166th Street to a point of reverse curve; thence Northwesterly along a curve to the left and tangent to the last described course having a delta angle of 50 degrees 03 minutes 19 seconds, a radius of 60.00 feet and an arc length of 52.42 feet along the South right-of-way line of said West 166th Street; thence South 75 degrees 30 minutes 49 seconds West along the South right-of-way line of said West 166th Street, a distance of 28.48 feet; thence North 14 degrees 29 minutes 11 seconds West, a distance of 50.00 feet to a point on the North right-of-way line of said West 166th Street and also being the Southeast corner of Lot 36, of said Symphony Farms II; thence continuing North 14 degrees 29 minutes 11 seconds West along the East line of said Lot 36, a distance of 137.58 feet to the Northeast corner of said Lot 36 and also being a point on the South line of Lot 37, of said Symphony Farms II; thence North 75 degrees 24 minutes 26 seconds East along the South line of said Lot 37, a distance of 11.13 feet to the Southeast corner of said Lot 37; thence North 27 degrees 58 minutes 25 seconds West along the East line of said Lots 37 and 38, a distance of 151.98 feet to the Northeast corner of said Lot 37 and also being a point on the South right-of-way line of West 165th Terrace, now established, thence continuing along the last described course North 27 degrees 58 minutes 25 seconds West, a distance of 50.00 feet to the Southeast corner of Lot 38, of said Symphony Farms II and also being a point on the North right-of-way line of said West 165th Terrace; thence continuing along the last described course and being the East line of said Lot 38, North 27 degrees 58 minutes 25 seconds West, a distance of 130.55 feet to the Northwest corner of said Lot 38; thence South 73 degrees 29 minutes 08 seconds West along the North line of said Lot 38, a distance of 7.77 feet to the Southeast corner of Lot 39, of said Symphony Farms II; thence North 16 degrees 30 minutes 52 seconds West along the East line of said Lot 39, a distance of 115.00 feet to the Northeast corner of said Lot 39 and also being a point on the South right-of-way line of West 165th Street, now established; thence continuing along the last described course North 16 degrees 30 minutes 52 seconds West, a distance of 50.00 feet to the Southeast corner of said Lot 40 and also being a point on the North right-of-way line of said West 165th Street; thence continuing along the last described course North 16 degrees 30 minutes 52 seconds West also being along the East line of said Lot 40, a distance of 115.00 feet to the point of beginning. Containing 692,465.58 square feet or 15.896 acres, more or less.

Dedication

The undersigned proprietors to the above described tract of land have caused the same to be subdivided in the accompanying plat, which subdivision and plat shall hereafter be known as "Symphony Farms V".

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues, courts, and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City from any expense incident top the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Gardner, with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utility located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Gardner. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

Execution

IN TESTIMONY WHEREOF, Lifestyles Building and Design, LLC, a Limited Liability Corporation, has caused this instrument to be executed this _____ day of _____, 2020.

LIFESTYLES BUILDING AND DESIGN, LLC

By: _____
James J. Humbert, Managing Member

STATE OF _____)
COUNTY OF _____) SS:

BE IT REMEMBERED, that on this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came James J. Humbert, Managing Member, of Lifestyles Building and Design, LLC, a Limited Liability Corporation, who is personally known to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same for himself and for the uses and purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My Commission Expires: _____

Approvals

APPROVED BY, the Planning Commission of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 2020.

By: _____
Scott Boden, Chair

ACCEPTANCE OF DEDICATIONS AND EASEMENTS BY, the Governing Body of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 2020.

By: _____ Attest: _____
Steve Shute, Mayor City Clerk

FP-20-09

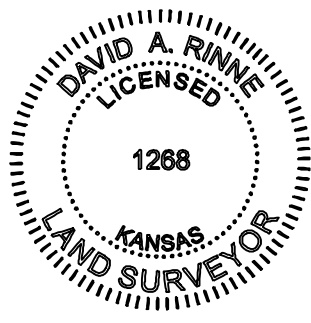
PREPARED: 9/03/2020



DATE 8-07-2020
DRAWN BY MBH
CHECKED BY DAR
PROJ. NO. 20-154

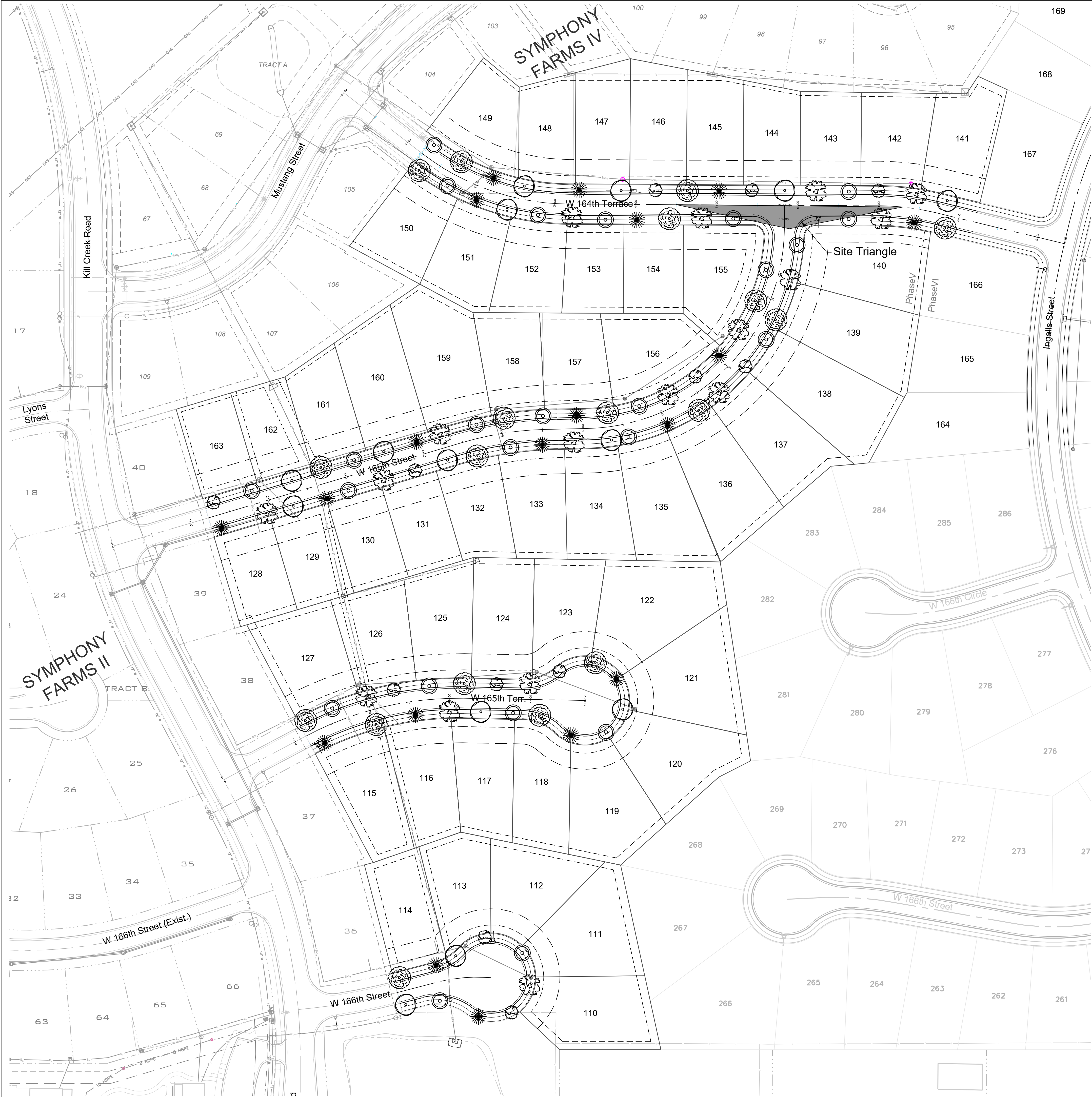
FINAL PLAT OF
SYMPHONY FARMS V

SHEET NO. 1



David A. Rinne - Land Surveyor
KS# LS-1268

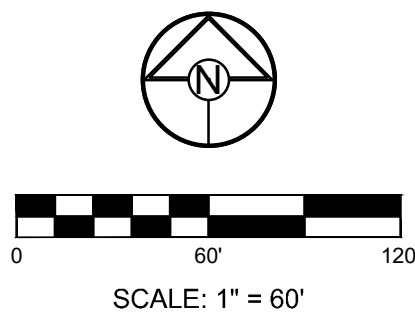
I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 7-27-2020 AND THAT SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. THE DETAILS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



PLANT LIST				
SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITIES	PLANTING SIZE
	Shantung Maple	Acer truncatum	19	Min. 1.5" Caliper
	Japanese Tree Lilac	Syringa reticulata 'Ivory Silk'	12	Min. 1.5" Caliper
	Swamp White Oak	Quercus bicolor	14	Min. 2" Caliper
	Golden Rain tree	Koelreuteria paniculata	24	Min. 1.5" Caliper
	Shumard Oak	Acer saccharum 'Autumn Splendor'	18	Min. 2" Caliper
	Skyline Honeylocust	Gleditsia trichanthos 'Skyline'	17	Min. 2" Caliper

- Type of tree used shall be based on availability.
- If the type listed is unavailable, a similar substitute can be used, provided that no species constitute greater than 20% of the total trees.
- All landscape materials shall meet the American Standards for Nursery Stock, published by the American Nurserymen's Association, and be selected for its native characteristics or survival in the climate for the Kansas City region, and be planted and maintained by ASNS specifications.

NOTE:
Site triangle based on a speed limit of 30 mph.



PREPARED BY:

SCHLAGEL & ASSOCIATES, P.A.

SYMPHONY FARMS V

STREET TREE PLAN

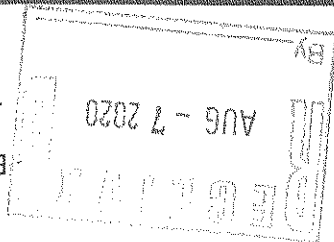
KILL CREEK ROAD AND 167TH STREET

GARDNER, KANSAS

REVISION DATE	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	

DRAWN BY:	JLL
CHECKED BY:	JLL
DATE PREPARED:	8/7/2020
PROJ. NUMBER:	20-154

STREET TREE PLAN



Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

FINAL PLAT APPLICATION

OWNER INFORMATION

Name(s) Lifestyle Building & Design, LLC

Contact James Humbert, Managing Member

Address 11237 Nail Ave, Suite 100

City Leawood

Phone 913-238-6107

Email jim@lifestylebldgkc.com

State KS

Zip 66211

APPLICANT/AGENT INFORMATION

Name(s) Schlagel & Associates, PA

Contact Jim Long

Address 14920 W 107th Street

City Lenexa

State KS

Zip 66215

Phone 913-492-5158

Email JL@schlagelassociates.com

SITE INFORMATION

Property Address/Location Kill Creek Road and 167th Street

Legal Description (Attach if Necessary) See the Attached Legal Description

Number of Existing Lots 0

Number of Proposed Lots 54

Total Site Area 15.89 ac.

Present Zoning R-1

Number of Existing Structures 0

Present Land Use Farming

Proposed Street Design Type(s) & Class Local-Neighborhood

Proposed Type(s) Open & Civic Space

Proposed Frontage Type(s) Suburban Yard

Proposed Building Type(s) Detached House - Suburban

SIGNATURE

I/We, the undersigned am/are the (owner(s)), (duly authorized agent), (Circle One) of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for final plat as indicated above.

Signature(s):

Date

by James Humbert, Managing Member, Lifestyle Building & Design, LLC

Date

FINAL PLAT APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | | Yes | No |
|---|-------------------------------------|--------------------------|
| 1. Complete application packet | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Application fee | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. 10 full sized plans printed and folded | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Digital copies (PDF) of the completed application, plans, and legal description | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. 1 copy of existing covenants and restrictions applicable to the development, if any (reference book and page). | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Letter of intent as to whether a Homeowners Association will be created and if any covenants and restrictions are proposed by the subdivider, if not submitted with the Preliminary Plat. Covenants and restrictions, as well as evidence of the establishment of the agency for the ownership and maintenance of any common space, shall be submitted to the City for review and approval prior to recording of the plat. | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | |
|---|-------------------------------------|--------------------------|
| 7. Final Floodplain modeling using HEC-RAS model provided by the City if encroachment is proposed within a FEMA or Shaded Zone X 100-year floodplain. (Contact City Engineer to obtain model and requirements). | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Final Stormwater Management Plan (2 printed and 1 digital copy) | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Final Traffic Impact Study (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)
<small>Will be submitted as soon as it is completed</small> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Development Agreement, if required | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Street tree plan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

FINAL PLAT DOCUMENT REQUIREMENTS

- | | | |
|---|--------------------------|-------------------------------------|
| 1. Name of subdivision (unique and numerically consistent and the words "FINAL PLAT," prominently displayed as the title.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Date of preparation and/or revisions. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Vicinity map (drawn at a scale of 1"=2,000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. A legal boundary description with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



6. **Provide the following sentence after the Legal Description** "The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the accompanying plat, which subdivision and plat shall hereafter be known as "Plat Name".

Yes ☒ No ☐

7. **Location of monuments**, shown in reference to existing official monuments or the nearest established 1/4 section corner, including the bearings and distances to such reference points or monuments.

☐ Yes ☒ No

8. **Boundary lines** of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).

☐ Yes ☒ No

9. **Accurate dimensions for all lines, angles, and curves**, used to describe boundaries, streets, easements and areas to be reserved for public use. Data for all curves shall include radius, arc length, chord length, and central angle.

☐ Yes ☒ No

10. **Platted and unplatted land** adjacent to the plat boundary. Include identification of adjacent platted subdivisions and unplatted tracts with external bearings and distances of adjacent plats and property owners for a distance of not less than 400 feet. Include original plat names if replatted. Exterior dimensions shall coincide with adjoining plats unless differences are noted

☐ Yes ☒ No

11. **Blocks, lots and tracts** identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet.

☐ Yes ☒ No

12. **Note on plat** indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts.

☐ Yes ☒ No

13. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.

☐ Yes ☒ No

14. **Any area within a federally designated floodplain**. Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).

☐ Yes ☒ No

15. **Stream corridor boundary** and dimensions.

☐ Yes ☒ No

16. **Proposed street right-of-way with dimensions** which conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications.

☐ Yes ☒ No

17. **Endorsement of the Planning Commission** as evidenced by the signature of its Chairperson. Endorsement line shall contain the printed name of the Chairperson and their title.

☐ Yes ☒ No

18. **Acceptance of Dedication by the Governing Body**, as indicated by the signature of the Mayor and attested by the City Clerk. The Endorsement Line shall contain the printed name and title of the person signing.

☐ Yes ☒ No

19. **Signature of Owner**, properly attested.

☐ Yes ☒ No

20. A dated signature and seal of the licensed Land Surveyor responsible for the survey and a note stating: "This survey conforms to the Kansas Minimum Standards for Boundary Surveys."

Yes ☐ No ☐

21. Copies of all pertinent exception documents, or a copy of a current American Land Title Association (ALTA) survey, or both.

☐ ☐

22. Calculation documents containing the following data: coordinates of the plat boundary and the unadjusted error of closure of the field traverse that established the plat.

☐ ☐

23. A statement on the plat concerning prior easement rights as follows: The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City from any expense incident to the relocation of any such existing utility installations within said prior easement.

☐ ☐

24. A statement on the plat concerning utility easements as follows: An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

☐ ☐

25. A statement on the plat concerning drainage easements as follows: An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

☐ ☐

26. Certification of dedication of all streets, highways and other rights-of-way or parcels for public park or other public use, signed by the owners and all other parties who have a mortgage or lien interest in the property.

☐ ☐



Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkanssas.gov

Written explanations for any items not checked or checked "No" (attach additional sheets, if necessary):
Items not checked are mostly items that will be completed for the recording of the plat.

I hereby submit all information required for final plat review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted. By signing this application, I acknowledge that all public streets and public infrastructure within the plat shall conform to the applicable minimum design standards set forth in the Gardner Municipal Code and the Technical Specifications.

Signature of Applicant

Date



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www.gardnerkansas.gov

OWNER AFFIDAVIT

I/We Lifestyle Building & Design, LLC by James Humbert, Managing Member, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 7 day of Aug, 2026, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize Schlagel & Associates, PA to as "Applicant", to act on my/our behalf for the purpose of making application with the City of Gardner, regarding Kill Creek Road and W 167th Street (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS WHEREOF, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF Kansas
COUNTY OF Johnson

The foregoing instrument was acknowledged before me on this 7 day of Aug, 2026, by

My Commission Expires:

7/21/2027

Deborah L. McGuire
Notary Public-State of Kansas
My Appointment Expires:

Notary Public

CITY OF GARDNER, KANSAS
*** C TOWER RECEIPT ***

Batch ID: GAKSCOM 8/07/20 01 Receipt no: 57083

Type	SvcCd	Description	Amount
ZS		FEES-ZONING & SUBDIVISION	\$520.00

FP-20-09

Trans number:

1676020

Tender detail

CK Ref#: 1833
CA CASH
\$515.00

Total tendered: \$520.00

Total payment: \$520.00

Trans date: 8/07/20 Time: 16:10:02

*** THANK YOU FOR YOUR PAYMENT ***

PLANNING COMMISSION STAFF REPORT
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: ROBERT CASE, CHIEF PLANNER

NEW BUSINESS ITEM NO.3A & 3B

PROJECT NUMBER / TITLE: PDP-20-04 Regency West Revised a preliminary development plan with an associated preliminary plat (PP-20-09)

PROCESS INFORMATION

Type of Request: Preliminary Development Plan Revised

Date Received: July 24, 2020

APPLICATION INFORMATION

Applicant: Lance Scott; Cook, Flatt & Strobel Engineers

Owner: Gardner Land Concepts, LLC

Parcel ID: CF221435-4001, CF221435-4003, CF221435-4004 and CF221435-4005

Location: West side of S Gardner Road approximately 200' north of 188th Street

REQUESTED ACTION

The applicant has requested approval of a revised preliminary development plan for property zoned CP-2 (General Business) District and RP-5 (Garden Apartment) District and associated preliminary plat for a three lot development that includes a commercial pad site, daycare and a 196 unit apartment complex.

EXISTING ZONING AND LAND USE

The property is currently zoned CP-2 (General Business) District and RP-5(Garden Apartment) District, and it is currently an unimproved agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
A (Agriculture) District	Unimproved agricultural
East of subject property	
C-3 (Heavy Commercial) District	Orschelns Store
South of subject property	
C-3 (Heavy Commercial) District	Unimproved agricultural
West of subject property	
RP-3 (Garden Apartment) District	Unimproved agricultural

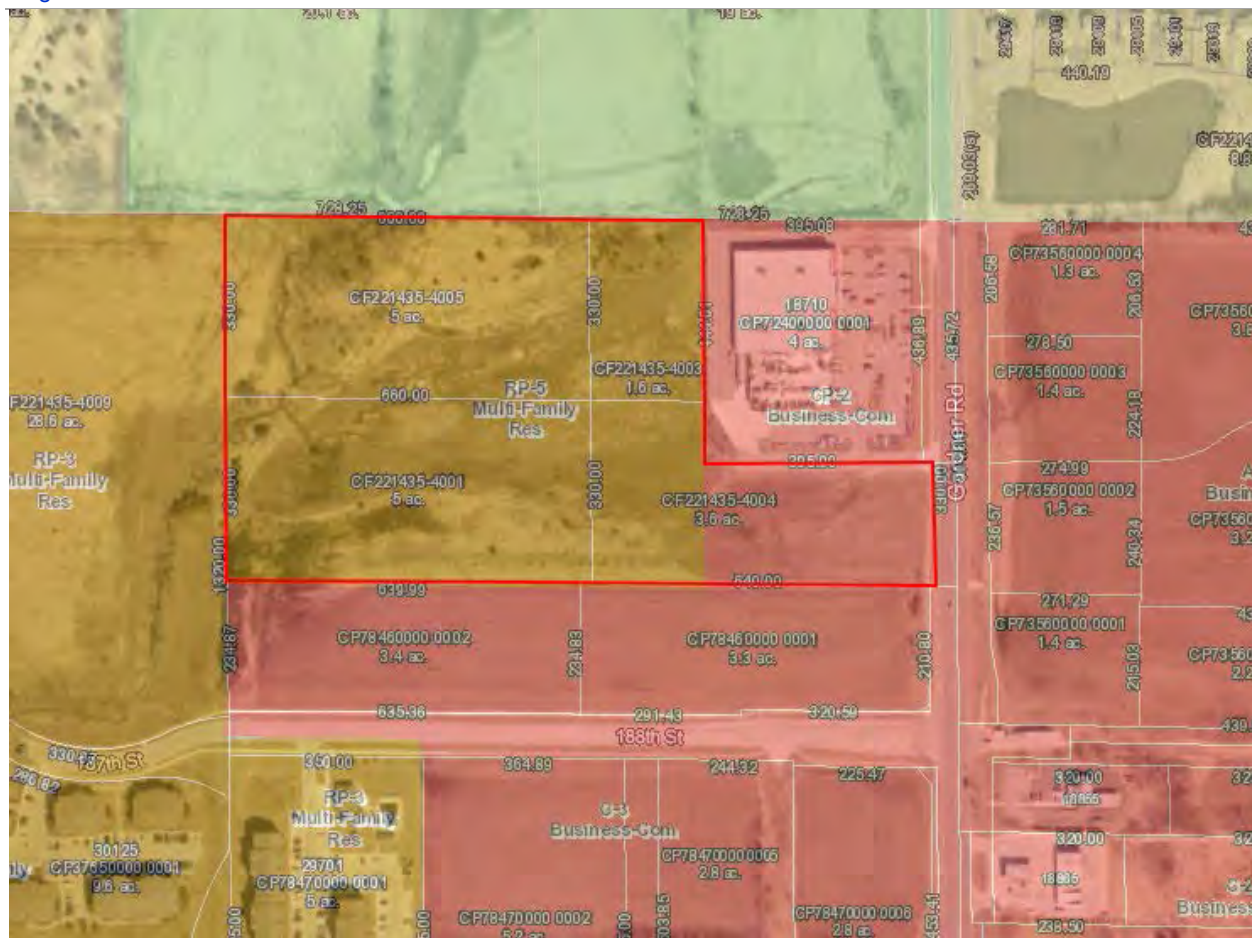
EXISTING CONDITIONS

Currently, the four parcels are undeveloped and unplatted. An existing improved private drive runs along the north side of the proposed lot 2 and provides access for all proposed lots to S. Gardner Road. Existing utility infrastructure including gas, water, sanitary sewer, electric and stormwater are located adjacent to this site along Gardner Road. There appears to be a floodplain running along the entire western side of this development site.



BACKGROUND / HISTORY

The property was annexed into the City as part of a larger area in 1998 (Resolution 1581). The entire site was designated as C-3, Commercial District through Ordinance 1984 on May 21st, 2001. In 2004 a development plan was submitted and approved to rezone the properties RP-5 and CP-2 through Ordinance 2131 and 2130 with an associated site plan and again in 2015 another plan was submitted under Ordinance 2485. The plans from Ordinance 2485 have been modified slightly to what is being presented in the current petition. The number of apartment units has been increased from 142 to 196 units and includes a daycare from the original approved plans. The commercial pad site has remained the same as presented and approved back in 2015. These parcels are not developed and have been in agricultural production for many years.



DEVELOPMENT PLAN HIGHLIGHTS

The applicant is proposing a plan for 3 lots totaling 15.19 acres for a mixed use development along S. Gardner Road. The development has been planned with private drives functioning and designed as streets that are proposed to be generally designed to the Local Neighborhood Street design standards and maintained by a private entity.

At the current time, the applicant has only one prospective tenant for this development which will be presented with an associated final development plan and final plat for lot 1 as presented later tonight. However, when final development plans are brought forward for the remaining 2 lots, this detailed plan must demonstrate that all applicable standards, requirements, and conditions of the preliminary development plan have been met. The final development plans must be in substantial compliance with the approved preliminary development plan, or the preliminary development plan must be revised through this same public process.

CONSISTENCY WITH COMPREHENSIVE PLAN

The City of Gardner Comprehensive Plan and the I-35 & Gardner Road Interchange Subarea Plan identifies these properties for regional commercial uses and high-density residential. These uses are generally on larger parcels and are best located near interstates and major arterial roads. The proposed uses for this site conforms to the Comprehensive Plans.

STAFF ANALYSIS – PRELIMINARY DEVELOPMENT PLAN

The intent of the planned zoning districts is to encourage innovation in development, unique and distinctive places, and efficient use of land, buildings and infrastructure. Specifically, planned zoning and development plans to support the flexibility offered through planned zoning should accomplish one or more of the following:

1. Preservation of distinct natural features on the land and integration of them into amenities for the project.
2. Reduction in potential environmental impacts from the development, whether through disturbance of land, location of streets and infrastructure or operation of sites and buildings.
3. Create broader community benefits through the better integration of multiple projects, resulting in designs that could not have otherwise been accomplished through the base zoning districts and standards.
4. Improved public realm designs, including streetscapes, open space, civic spaces and the relationship of buildings and sites to those spaces.
5. Creation of unique projects and places that are particularly suited for the planned location based on the characteristics of the land or the context and relationship to surrounding areas.

Departures from the standards associated with all zoning districts may be considered through planned zoning, and approved provided they are based upon a comprehensive and well-integrated development plan for the area. These departures shall not be justified for simply wanting flexibility or deviations from standards based upon a site plan.

A preliminary development plan represents an overall plan for a development to include the specific land uses and their density/intensity, block and lot patterns, building types and scale, design characteristics, and other building and site design elements that reflect the proposed character of the plan. This plan shall have a particular emphasis on how these elements relate to the public realm plan and where transitions between these elements occur at a parcel or block scale, both within the development and in coordination with abutting property. The development plan shall specifically identify where development standards may differ from those otherwise applicable through the base zoning districts and general development requirements of this Code.

A final development plan provides specific details of the portion or entirety of the approved preliminary development plan. This includes elevations, building materials, landscaping and other specific details. The final development plan has the same review criteria as a site plan.

REVIEW CRITERIA-

17.03.040 (C) Review Criteria:

1. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the goals of the Comprehensive Plan, and based upon generally accepted planning and design practice.

Staff Comment: *This plan is a revision to an earlier approved plan that adds an additional daycare component to the overall site. The revision to the approved plan are considered to be minor but have deviated enough to warrant a preliminary development plan review.*

2. The benefits from any flexibility in the standards proposed in the plan promote the general public health, safety and welfare of the community, and in particular of the areas immediately near or within the proposed project, and are not strictly to benefit the applicant.

Staff Comment: *The benefits from any flexibility in the standards proposed in the plan promote the general public health, safety and welfare of the community.*

3. The benefits from any flexibility in the standards proposed in the plan allow the project to better meet or exceed the intent statements of the base zoning district(s) and the standards proposed to be modified when applied to the specific project or site.

Staff Comment: *The benefits from any flexibility in the standards allows the project higher end amenities for the residential including clubhouse, pool and dog park.*

4. The plan reflects generally accepted and sound planning and urban design principles with respect to applying the Comprehensive Plan and any specific plans to the area.

Staff Comment: *The plan reflects generally accepted and sound planning and urban design principles by providing a use types that are compatible to the area. Also the plan provides for an appropriate transition between more intense and less intense uses from the commercial to the medium-density residential. It provides for walkability between commercial amenities and residential uses by providing sidewalks and connectivity to the Gardner Road trails and sidewalks. This allows for people to leave their vehicles at home and walk to nearby commercial with minimal vehicle interaction.*

5. The plan meets all of the review criteria for a zoning map amendment.

Staff Comment: *The plan generally meets all of the review criteria for a zoning map amendment as outlined in the section above.*

17.03.040 (C) Review Criteria:

6. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the goals of the Comprehensive Plan, and based upon generally accepted planning and design practice.

Staff Comment: *This plan is a revision to an earlier approved plan that adds an additional daycare component to the overall site. The revision to the approved plan are considered to be minor but have deviated enough to warrant a preliminary development plan review.*

DEVIATIONS

The standards outlined below are standards from the Land Development Code that are not met. The planned district allows for departures from the standards associated with all zoning districts provided they are based upon a comprehensive and well-integrated development plan for the area. Below are the standards not met and the applicant's justification for such deviation.

1. **Section 17.09.030 Required Parking, Table 9-3; Parking Standards; General Civic/Institutional; Design and Performance Standards**

Standard: Parking ratio: 2.5 spots: 1,000 s.f. (11,500 s.f. building = 29 parking spaces required)

Proposed: 41 spaces provided (39 regular and 2 ADA)

Applicant Response: *Based on previous experience with daycare developments the requirement does not allow for the amount of traffic generated at certain times of the day to safely move vehicles in and out of the site.*

Staff Comment: The standard is for 2.5 spaces for every 1,000 square feet and it is understandable based on the developers past experience that for safety of parents and their children this deviation would be supported by Staff.

REVIEW CRITERIA-PRELIMINARY PLAT

17.03.020 (D1) Review Criteria:

1. The application is in accordance with the Comprehensive Plan and in particular the physical patterns, arrangement of streets, blocks, lots and open spaces, and public realm investments that reflect the principles and concepts of the plan.

Staff Comment: *The application is generally consistent with the Comprehensive Plan as outlined in the section above. This proposal for the street and block arrangement was prescribed with the original development plan in 2015. These are consistent with principles and concepts of the Comprehensive Plan.*

2. Compliance with the requirements of this Land Development Code, and in particular the blocks and lots proposed are capable of meeting all development and site design standards under the existing or proposed zoning.

Staff Comment: *The proposed plat meets the block and lot dimensional standards in the Land Development Code. The street type standards are met.*

3. Any phasing proposed in the application is clearly indicated and demonstrates a logical and coordinated approach to development, including coordination with existing and potential development on adjacent property.

Staff Comment: *The developer is proposing to construct the daycare facility in the first phase but has no timeframe for the commercial or multi-family developments. Once development starts to occur on the multi-family, the Fire Department has required a secondary emergency access to be provided. This will be a condition of approval.*

4. Any impacts identified by specific studies or technical reports, including a preliminary review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.

Staff Comment: *The stormwater plan was approved and the detention pond for the entire development was previously constructed. The detention is a generally accepted engineering solution.*

5. The application does not deter any existing or future development on adjacent property from meeting the goals and policies of the Comprehensive Plan.

Staff Comment: *This application does not deter any future or existing development on adjacent property.*

6. The design does not impede the construction of anticipated or planned future public infrastructure within the area.

Staff Comment: *This design does not impede the construction of anticipated or planned future public infrastructure within the area.*

7. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Comment: *Staff recommends approval of preliminary plat PP-20-09 for Regency West.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

Utilities available along the east property line include an 18" water line and a gravity sanitary sewer line. There is overhead electric running along all sides of this site. The site plans show a 5' sidewalk extending from Gardner Road all throughout the development.

Staff Comment: *Construction plans for all public improvements are required to be approved before the final plat is released for recording.*

ATTACHMENTS

- I. Preliminary development plan document
- II. Preliminary Plat
- III. Public notice
- IV. Applications

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Preliminary Development Plan – Approval of a preliminary development plan shall constitute acceptance of the overall planning concepts and development parameters. In reviewing and approving a preliminary development plan, the Planning Commission may recommend or the Governing Body may require conditions that must be met before an applicant submits a final development plan. An approved preliminary development plan shall lapse and be of no further force and effect if a final development plan (or a final development plan for a designated phase of the preliminary development plan) has not been approved within two years of the date of approval of the preliminary development plan.

Preliminary Plat – The approval of the preliminary plat does not constitute an acceptance of the subdivision, but authorizes preparation of the final plat. If the Planning Commission tables a plat, the applicant shall have 60 days to submit information sufficient for approval or the application shall be deemed denied. The applicant may request that a denied preliminary plat be submitted to the Governing Body and the Planning Commission shall submit all information to the Governing

Body, which can make a determination consistent with these regulations. The approval of the preliminary plat shall be effective for 18 months, except that any approval of a final plat for any phase specifically indicated on a preliminary plat shall renew the 18-month period. The Planning Commission may grant an extension of this period for up to one year, if the applicant demonstrates substantial progress towards the design and engineering requirements necessary to submit a final plat.

RECOMMENDATION – PRELIMINARY DEVELOPMENT PLAN

Staff recommends approval of PDP-20-04 Preliminary Development Plan for Regency West and recommends forwarding the application to the Governing Body with the conditions outlined below.

Recommended Motion:

After review of applications PDP-20-04 for Regency West (property located on the west side of Gardner Road approximately 200' north of 188th Street, (Tax IDs CF221435-4001, CF221435-4003, CF221435-4004 and CF221435-4005), a revised preliminary development plan dated August 6, 2020, and staff report dated September 22, 2020, the Planning Commission recommends the Governing Body approve the applications as proposed, provided the following conditions are met:

1. The applicant shall provide for a common area maintenance agreement or property maintenance agreement for all common areas, including the infrastructure within all access and sidewalk easements.
2. The stormwater plan and traffic study shall be approved prior to approval of any final development plan.
3. Approval of a deviation to allow 12 additional parking spaces on lot 1.

RECOMMENDATION – PRELIMINARY PLAT

Staff recommends approval of the Preliminary Plat with the conditions outlined below.

Recommended Motion:

After review of applications PP-20-09 for Regency West (property located on the west side of Gardner Road approximately 200' north of 188th Street, (Tax IDs CF221435-4001, CF221435-4003, CF221435-4004 and CF221435-4005), a preliminary plat dated August 6, 2020, and staff report dated September 22, 2020, the Planning Commission recommends the Governing Body approve the applications as proposed, provided the following conditions are met:

1. Approval of the final Traffic Impact Study and Stormwater Management Plan;

Revised Preliminary Development Plan/Preliminary Plat
REGENCY WEST

*City of Gardner
Johnson County, Kansas*

Section 35, Township 14 South, Range 22 East

Sheet Index

Title Sheet	1
Site Plan/Preliminary Plat	2
Site and Phasing Plan	3
Grading Plan	4
Utility Plan	5
Boundary Description	

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING 330 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE EAST 660 FEET; THENCE SOUTH 330 FEET; THENCE WEST 660 FEET; THENCE NORTH 330 FEET, TO THE POINT OF BEGINNING.

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EXCEPT THE FOLLOWING PARCEL:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST, OF THE 6TH P.M., IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON KANSAS STATE PLANE NORTH ZONE 1501 BEARINGS, SOUTH 02°31'47" EAST, CONTIGUOUS WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 435.72 FEET; THENCE SOUTH 87°28'13" WEST, 455.00 FEET; THENCE NORTH 02°31'47" WEST, 444.61 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°35'24" EAST, COINCIDENT WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, 455.08 FEET TO THE POINT OF BEGINNING, CONTAINING 200,275.21 SQUARE FEET OR 4.595 ACRES, MORE OR LESS.

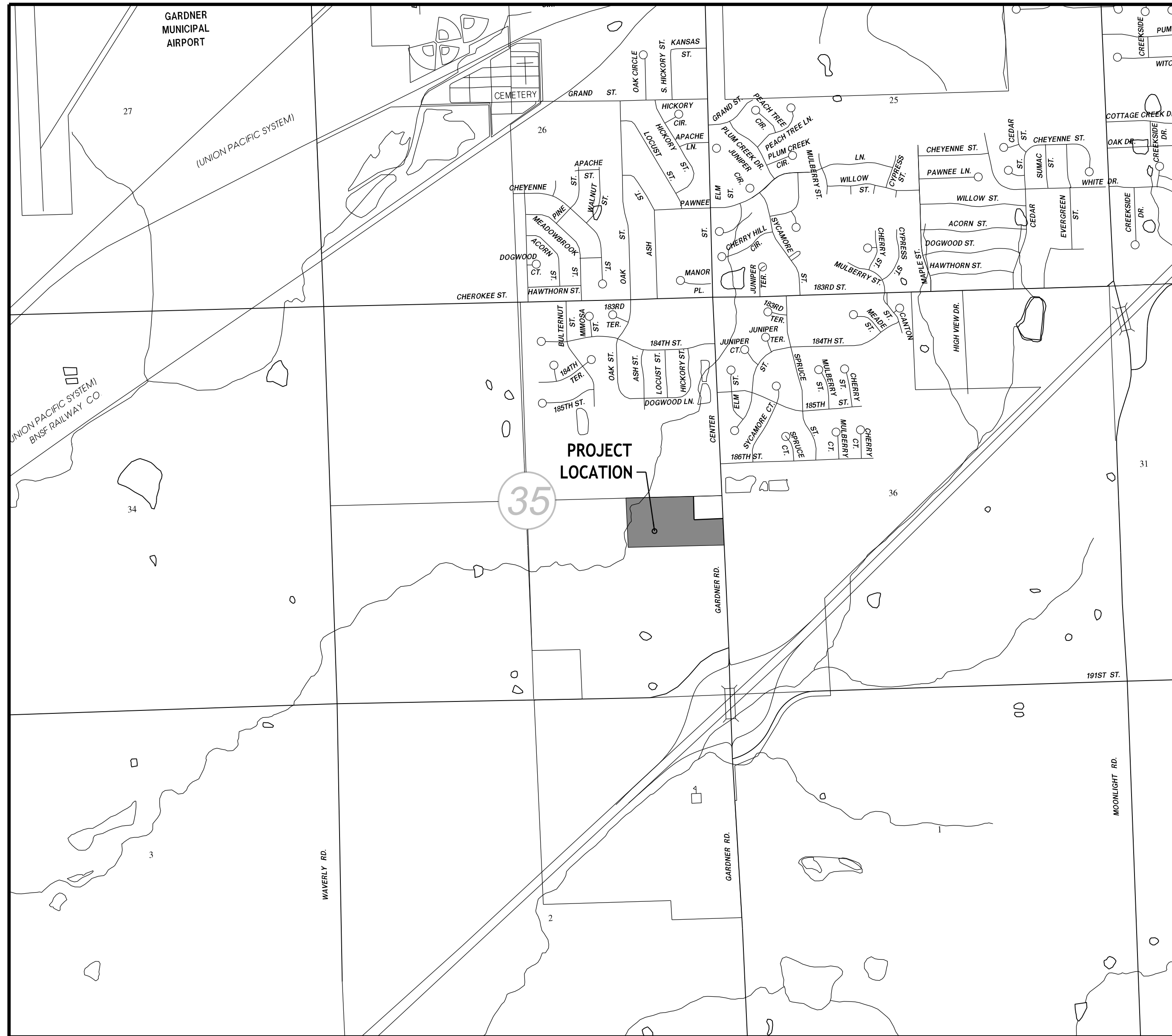
CONTAINING 661,805 SQUARE FEET OR 15.19 ACRES, MORE OR LESS.

Project Developer ***Architect***

GREG LUTZ	SHAWN CATON
GARDNER LAND CONCEPTS, LLC,	CATON ARCHITECTURAL DESIGN
9292 HUNTINGTON SQ, SUITE 300,	6320 MARION AVENUE
N. RICHLAND HILLS, TX 76182	KANSAS CITY, MO 64133
PHONE: 785-286-2518	913-515-3384

Project Owner _____ Engineer _____

STEVE STALLARD	LANCE W. SCOTT
GARDNER LAND CONCEPTS, LLC,	CFS ENGINEERS, P.A.
9292 HUNTINGTON SQ, SUITE 300,	1421 E. 104TH STREET, SUITE 100
N. RICHLAND HILLS, TX 76182	KANSAS CITY, MO 64131
PHONE: 817-939-7018	PHONE: 816-333-4477



SECTION 35-T14S-R22E

Scale: 1"=1000'

Project Bench Marks

BM #1 - Set "□" - Elev. 1044.13 NAVD 88

Chiseled on top front CL of Catch Basin on West curb
of South Gardner Rd. 450+/- North of West 188th St.

BM #2 - Set "□" - Elev. 1036.05 NAVD 88

Chiseled on top NE Corner of curb inlet, 4th curb inlet West on North side of W. 188th St. from intersection of Gardner Rd. & W. 188th St.

Site Summary - Lot 1
Small Commercial Pad Site (Day Care Center)

GROSS AREA LOT 1:	60,548 S.F. (1.39 AC.)	
BUILDING AREA	11,500 SF	19%
OPEN SPACE	9,200 SF	15%
PARKING REQUIRED	PARKING	PARKING
GENERAL CIVIC/INSTITUTIONAL USE	REQ'D.	PROVIDED
2.5 SPACES PER 1,000 SF =	29 MIN	39*
	35 MAX	
BICYCLE PARKING	2	2
5% OF TOTAL (39x.05)		

***DEVIATION TO INCREASE PARKING COUNT HAS BEEN REQUESTED**

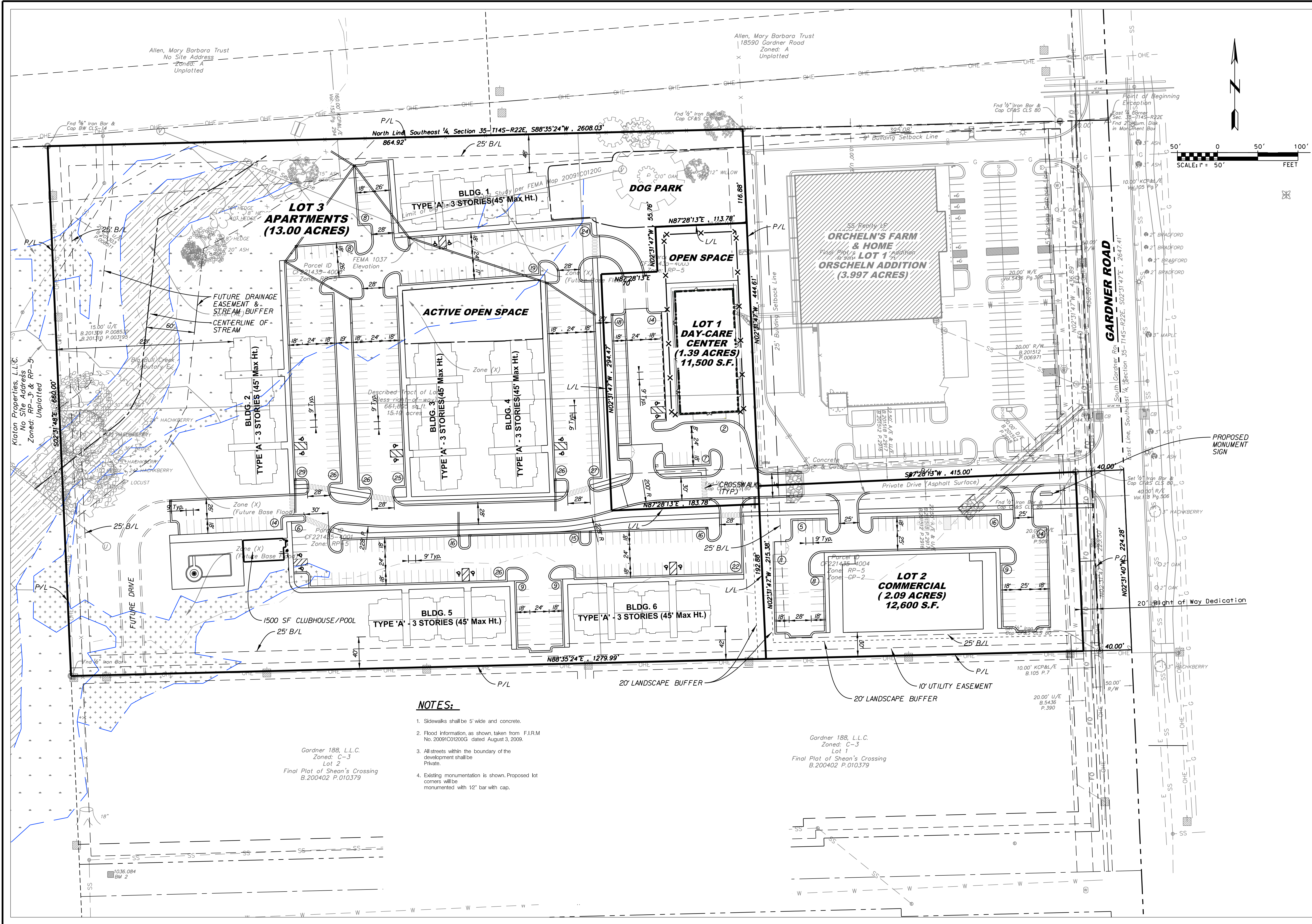
Site Summary - Lot 2

Small Commercial/Pad Site (General Commercial)

GROSS AREA LOT 2:	91,040 S.F. (2.09 AC.)	
BUILDING AREA	12,600 SF	14%
OPEN SPACE	27,700 SF	30%
PARKING REQUIRED	PARKING	PARKING
GENERAL COMMERCIAL	REQ'D.	PROVIDED
5 SPACES PER 1,000 SF =	63 MIN	63
	76 MAX	
BICYCLE PARKING		
10% OF TOTAL (63x.1)	7	7

Site Summary - Lot 3 Garden
Apartments(Apartment Complexes)

GROSS AREA LOT 3:	566,280 S.F. (13.00 AC.)	
BUILDING AREA	56,550 SF	10%
OPEN SPACE	304,800 SF	54%
ACTIVE OPEN SPACE	41,230 SF	7.3%
PARKING REQUIRED	PARKING	PARKING
APARTMENT COMPLEXES	REQ'D.	PROVIDED
1.5 SPACES PER UNIT =	294 MIN	353
196 UNITS x 1.5	353 MAX	
BICYCLE PARKING	1 SPACE PROVIDED	
1 PER UNIT	WITHIN EACH UNIT	



NOTES:

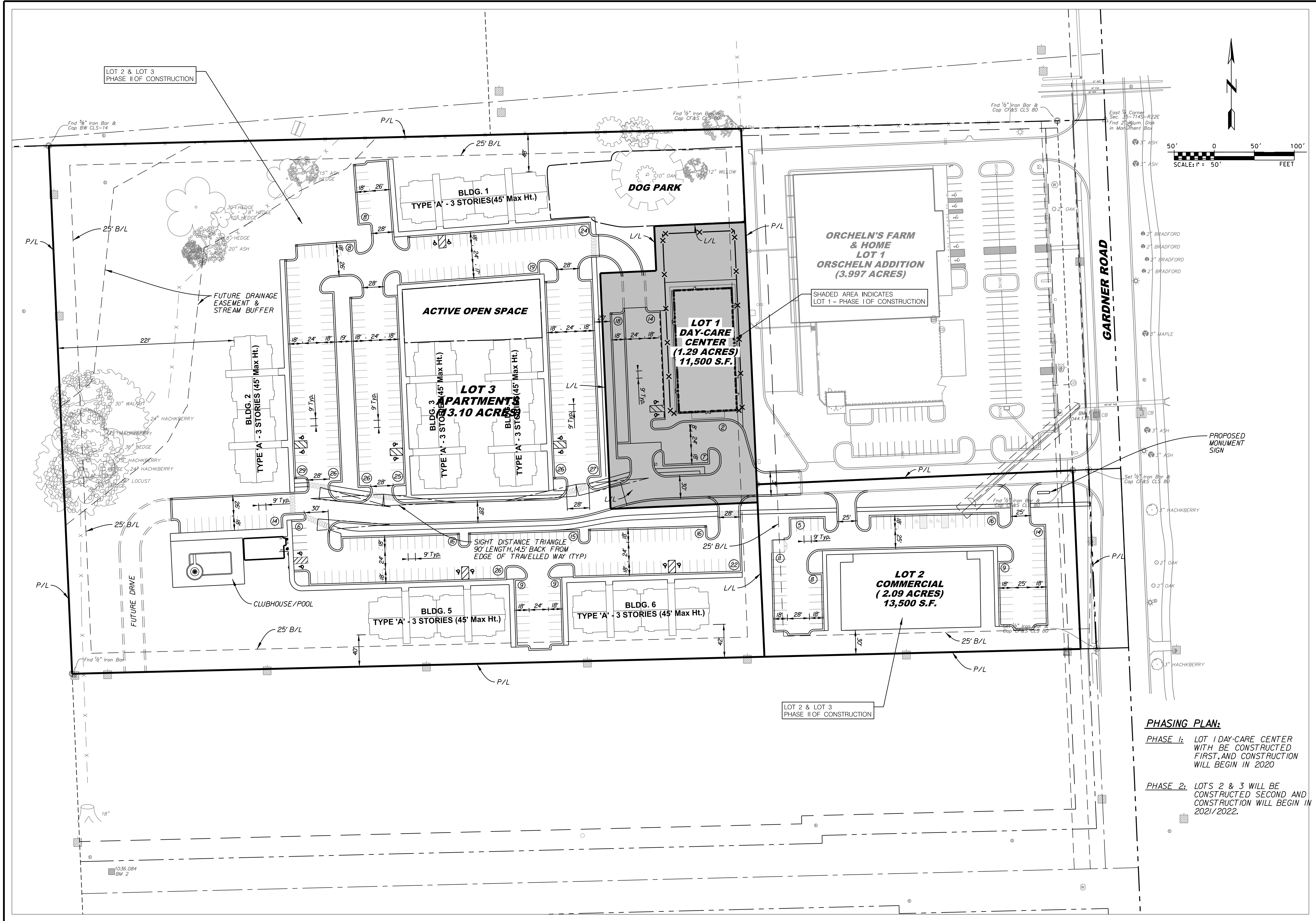
- Sidewalks shall be 5' wide and concrete.
- Flood information, as shown, taken from F.I.R.M. No. 20091C01200G dated August 3, 2009.
- All streets within the boundary of the development shall be Private.
- Existing monumentation is shown. Proposed lot corners will be monumented with 12" bar with cap.

Gardner 188, L.L.C.
Zoned: C-3
Lot 2
Final Plat of Shean's Crossing
B.200402 P.010379

Gardner 188, L.L.C.
Zoned: C-3
Lot 1
Final Plat of Shean's Crossing
B.200402 P.010379

Mark	Description	Date
	Revised per city comments	8/28/20

Designed by:	Date:	Reviewed by:	Date:
LWS	8/27/2020	TEI	
Drawn by:	Check by:	Submitted by:	File name:
RWP	RWP	LWS	202008-27-SH-PDP-Site Plan Prelim Comodgn
			Final date: 8/27/2020 5:44:00 PM



CFS ENGINEERS

1451 E. 14th Street, Ste. 100, Garden City, KS 66310

cfse.com

620-333-4477

620-333-9988

KANSAS CERTIFICATE OF AUTHORITY NUMBER: 000282

LUKAS W. WILLIAMS - ENGINEER

KS #24,20182

Mark	Description	Revised per city comments	Date	App.
			8/22/20	

Rev.	Date	Designed by:	Drawn by:	Reviewed by:	Plot name:
1	8/27/2020	LWS	RWP	TEI	1654-545

REGENCY WEST
GARDNER, KS

REVISED
PRELIMINARY DEVELOPMENT PLANS

SIGHT DISTANCE, SITE AND PHASING PLAN

Sheet reference number:
3

PHASING PLAN:

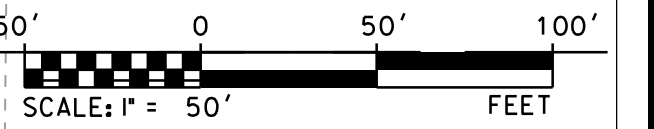
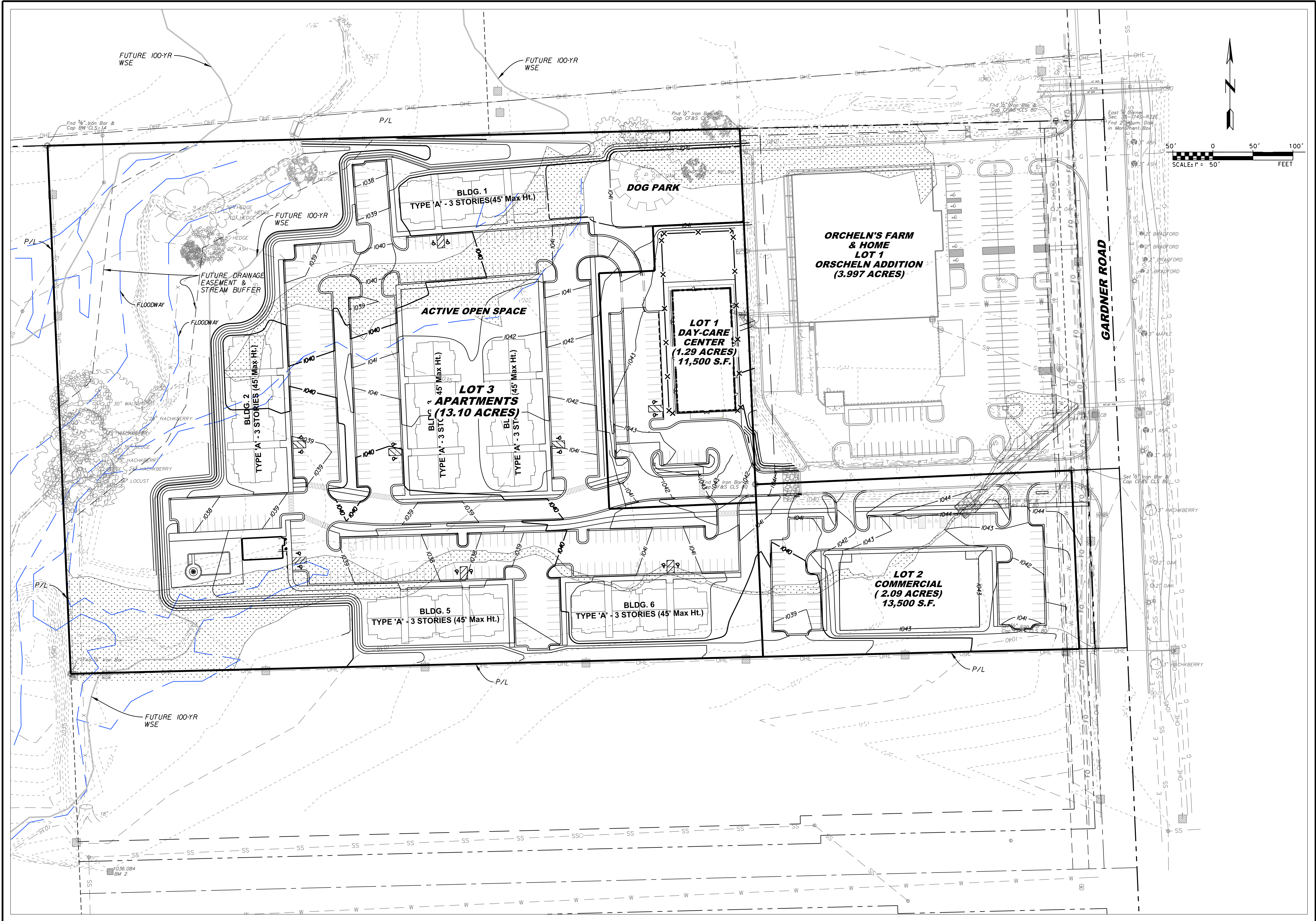
PHASE 1: LOT 1 DAY-CARE CENTER WITH BE CONSTRUCTED FIRST, AND CONSTRUCTION WILL BEGIN IN 2020

PHASE 2: LOTS 2 & 3 WILL BE CONSTRUCTED SECOND AND CONSTRUCTION WILL BEGIN IN 2021/2022.

1036.084

BM 2

66Shared drives\205\258\0\205\258\51\51-PDP-Site-Plan.dgn



CFS ENGINEERS
cfsengineers.com
KANSAS CERTIFICATE OF AUTHORITY NUMBER 000282

DESIGNED BY: LWS
DRAWN BY: RWP
CHECKED BY: RWP
DATE: 8/27/2020

Revised per city comments	Date	Mark
	8/28/20	

REGENCY WEST GARDNER, KS	DESIGNED BY: LWS DRAWN BY: RWP CHECKED BY: RWP DATE: 8/27/2020	REVIEWED BY: TEI DATE: 8/27/2020	FILE NAME: 205258-ST-SH-PDF-Grading-Plan.dgn FILE DATE: 8/27/2020 5:46:05 PM
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GRADING PLAN

Sheet
reference
number:
4

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of Gardner, Kansas will hold a Public Hearing on Tuesday, September 22, 2020 at 7:00 pm in the Council Chambers of City Hall, 120 E. Main Street in consideration of the following item to-wit:

CASE NO. PDP-20-04

A revised preliminary development plan of approximately 15 acres from CP-2 (Planned Commercial) and RP-5 (Planned Apartment House) Districts to CP-2 (Planned Commercial) and RP-5 (Planned Apartment House) districts for Regency West, an apartment complex, daycare and commercial pad site, located on the west side of Gardner Road approximately 200' north of 188th Street. (Tax Id CF221435-4005, CF221435-4001, CF221435-4003 and CF221435-4004)

CASE NO. CUP-20-01

A proposed conditional use permit for a daycare center on approximately 1.29 acres, located on the west side of Gardner Road approximately 200' north of 188th Street. (Tax ID CF221435-4003)

CASE NO. Z-20-08 (PDP-20-05)

A proposed rezoning of approximately 20 acres from R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts to M-P (Mobile Home Park) District and associated preliminary development plan for The Lakes of Conestoga, a 96 unit manufactured/mobile home community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive. (Tax ID CF231430-1012)

CASE NO. CUP-20-02

A proposed conditional use permit for a manufactured/mobile home community on approximately 20 acres, located at the southeast corner of E. Santa Fe Street and Conestoga Drive. (Tax ID CF231430-1012)

All persons interested in said matter shall be heard at this time for the public record. For additional information regarding these applications and detailed descriptions, contact the Business & Economic Development Department, 913-856-0913, 120 E Main Street, Gardner, Kansas



Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

PRELIMINARY DEVELOPMENT PLAN APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) GARDNER LAND CONCEPTS, LLC
Contact STEVE STALLARD
Address 9292 HUNTINGTON SQ, SUITE 300
City N RICHLAND HILLS State TX Zip 76182
Phone 817-939-7018 Email steve.stallard@me.com

APPLICANT/AGENT INFORMATION

Name(s) COOK, FLATT, & STROBEL ENGINEERS
Contact LANCE SCOTT
Address 1421 E. 109TH ST, STE 100
City KANSAS CITY State MO Zip 64131
Phone 816-333-4477/913-484-4777 Email lscott@cfse.com

SITE INFORMATION

Property Address/Location NORTH OF W. 188TH ST, WEST OF GARDNER ROAD
Legal Description (Attach If Necessary) ATTACHED
Number of Existing Lots 0 Number of Proposed Lots 3
Total Site Area 15.19 AC Present Zoning CP-2, RP-5
Present Land Use AG Proposed Use(s) COMMERCIAL, MULTI FAMILY, DAYCARE
Proposed Street Design Type(s) & Class PRIVATE
Proposed Type(s) Open & Civic Space CLUBHOUSE, POOL, DOG PARK
Proposed Frontage Type(s) LANDSCAPE
Proposed Building Type(s) COMMERCIAL, MULTI FAMILY, DAY CARE

SIGNATURE

I/We, the undersigned am/are the (owner(s)), (duly authorized agent), (Circle One) of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a preliminary development plan as indicated above.

Signature(s): Lance W. Scott Date 8/6/20
Date _____

PRELIMINARY DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of full sized plans printed and folded |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Sign posting affidavit |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Preliminary Stormwater Management Plan (2 printed and 1 digital copy) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Preliminary Traffic Assessment See Access Management Code. (2 printed and 1 digital copy) |

PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Public Realm Plan
A plan outlining the general location, design characteristics, and functions of all proposed streets, storm water management, open spaces, civic spaces, and circulation networks – whether public, common or private – that will create the public realm for the plan. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Development Plan
A plan indicating the specific land uses and their density/intensity, block and lot patterns, building types and scale, design characteristics, and other building and site design elements that reflect the proposed character of the plan. This plan shall have a particular emphasis on how these elements relate to the public realm plan and where transitions between these elements occur at a parcel or block scale, both within the development and in coordination with abutting property. The development plan shall specifically identify where development standards may differ from those otherwise applicable through the base zoning districts and general development requirements of this Code. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Existing Conditions
Analysis identifying the general layout of any existing structures, streets or infrastructure and the location of natural features such as watercourses, steep grades, significant stands of trees, specimen trees or other features. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Phasing or Implementation
A strategy indicating the estimated timing of development, and any other administrative details of implementing the plan through future final site plans. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.). |

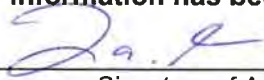
Yes No

- ☒ ☐ 6. **Date of preparation** and/or revisions.
- ☒ ☐ 7. **Vicinity map** (drawn at a scale of 1"=2,000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.)
- ☒ ☐ 8. **A legal boundary description** with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres.
- ☒ ☐ 9. **Location of monuments**, shown in reference to existing official monuments or the nearest established ¼ section corner, including the bearings and distances to such reference points or monuments.
- ☒ ☐ 10. **Boundary lines** of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
- ☒ ☐ 11. **Lots and tracts** identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet.
- ☒ ☐ 12. **Building setback lines** along public and private streets with dimensions in feet.
- ☒ ☐ 13. **Existing streets and driveways** which abut, touch upon or extend through the subdivision and/or streets located within 400 feet of the plat. The description shall include types and widths of existing surfaces, right-of-way widths, and dimensions of any bridges and culverts.
- ☒ ☐ 14. **Location of existing open space, alleys, parks, streams, ponds**, or other similar features within plat, and whether they are to be retained or removed.
- ☒ ☐ 15. **Location of existing buildings** and structures within 200 feet of the plat.
- ☒ ☐ 16. **Existing utilities**, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
- ☒ ☐ 17. **Topography** of the area contained in the plat and within 20 feet of the plat boundary shown by 2-foot contour intervals and proposed preliminary grading. Contour lines shall be legible but not overpowering.
- ☒ ☐ 18. **Proposed street network**, including right-of-way, bearings, tangents, and horizontal and vertical curvature data (use of flow direction arrows and percent of grade is permitted at preliminary for vertical curve data, unless otherwise specified/required) along the centerline of each street.
- ☒ ☐ 19. **Proposed sidewalks** and/or trail locations including proposed widths.
- ☒ ☐ 20. **Proposed utilities**, including approximate location of sanitary sewer, water main, street lights, and storm sewer.
- ☒ ☐ 21. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number. A 10-foot utility easement shall be shown adjacent to arterial streets.
- ☒ ☐ 22. **Any area within a federally designated floodplain.** Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).

Yes No

☒☐23. **Stream corridor boundary** and dimensions.☐☒24. **Intersection site distance analysis.**☒☐25. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.☐☒26. **All public streets** within the plat conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications.

I hereby submit all information required for preliminary development plan review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.



Signature of Applicant

8/6/20

Date

EXHIBIT A
REGENCY WEST LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING 330 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE EAST 660 FEET; THENCE SOUTH 330 FEET; THENCE WEST 660 FEET; THENCE NORTH 330 FEET, TO THE POINT OF BEGINNING.

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EXCEPT THE FOLLOWING PARCEL:

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BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON KANSAS STATE PLANE NORTH ZONE 1501 BEARINGS, SOUTH 02°31'47" EAST, CONTIGUOUS WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 435.72 FEET; THENCE SOUTH 87°28'13" WEST, 455.00 FEET; THENCE NORTH 02°31'47" WEST, 444.61 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°35'24" EAST, COINCIDENT WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, 455.08 FEET TO THE POINT OF BEGINNING. CONTAINING 200,275.21 SQUARE FEET OR 4.595 ACRES, MORE OR LESS.

CONTAINING 661,805 SQUARE FEET OR 15.19 ACRES, MORE OR LESS.

PLANNING COMMISSION STAFF REPORT
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: ROBERT CASE, CHIEF PLANNER

NEW BUSINESS ITEM No. 3C

PROJECT NUMBER / TITLE: CUP-20-01 Conditional Use Permit for Regency West Daycare Center

PROCESS INFORMATION

Type of Request: Conditional Use Permit

Date Received: August 7, 2020

APPLICATION INFORMATION

Applicant: Lance Scott; Cook, Flatt & Strobel Engineers

Owner: Gardner Land Concepts, LLC

Parcel ID: CF221435-4001, CF221435-4003, CF221435-4004 and CF221435-4005

Location: West side of S Gardner Road approximately 200' north of 188th Street

REQUESTED ACTION

The applicant is requesting approval of CUP-20-01 a Conditional Use Permit for Regency West Daycare Center, a new 11,500 square foot daycare center for children.

EXISTING ZONING AND LAND USE

The site is currently zoned RP-5 (Planned Apartment House) and CP-2 (Planned General Commercial) Districts and is agricultural in use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
A (Agriculture) District	Unimproved agricultural
East of subject property	
C-3 (Heavy Commercial) District	Orschelns Store
South of subject property	
C-3 (Heavy Commercial) District	Unimproved agricultural
West of subject property	
RP-3 (Garden Apartment) District	Unimproved agricultural



EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. All utilities are available to this site and will be serviced by the City of Gardner. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.

BACKGROUND / HISTORY

The property was annexed into the City as part of a larger area in 1998 (Resolution 1581). The entire site was designated as C-3, Commercial District through Ordinance 1984 on May 21st, 2001. In 2004 a development plan was submitted and approved to rezone the properties RP-5 and CP-2 through Ordinance 2131 and 2130 with an associated site plan and again in 2015 another plan was submitted under Ordinance 2485. The plans from Ordinance 2485 have been modified slightly to what is being presented in the current petition. The number of apartment units has been increased from 142 to 196 units and includes a daycare from the original approved

plans. The commercial pad site has remained the same as presented and approved back in 2015. These parcels are not developed and have been in agricultural production for many years

CONSISTENCY WITH COMPREHENSIVE PLAN

The City of Gardner Comprehensive Plan and the I-35 & Gardner Road Interchange Subarea Plan identifies these properties for regional commercial uses and high-density residential. These uses are generally on larger parcels and are best located near interstates and major arterial roads. The proposed uses for this site conforms to the Comprehensive Plans. The proposed daycare facility will help to provide additional childcare services to a growth area on the south side of Gardner.

STAFF ANALYSIS – ZONING

This section highlights contents of the application which may merit particular consideration in regard to zoning intent and standards. If a standard is not presented, it has been met. Standards not met will be addressed in conditions of approval at the end of this report. A full analysis to all applicable regulations is available on request.

This application is for a conditional use permit to allow approval of an 11,500 square foot daycare center. Within the City of Gardner Land Development Code, a “Day Care Center” is defined as a service use providing recreation, education and supervisory services for children or adults on a regular basis away from their primary residence, not including schools, in-home day care, or residential care facilities. Day Care Centers are a permitted use within the commercial districts but require a “Conditional Use” permit to be allowed in residentially zoned areas of the City.

17.03.050(B) Review Criteria:

1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts.

Staff Comment: *The site is surrounded by complimentary zoning districts and land uses, the proposed use does not conflict with the intent of adjacent districts.*

2. Compliance of any proposed development with the requirements of this Code.

Staff Comment: *Although a final development plan has yet to be approved, a corresponding preliminary development with associated rezoning will be considered at this public hearing, where intent, land use, and design features such as site layout, open space and civic features, parking, and landscaping, will be discussed and considered. Given this circumstance, the revised preliminary development plan, as submitted, are in compliance with the requirements of this code. However, this request shall not be approved prior to the approval of these items. This is a condition of approval.*

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this Code and the intent or design objectives of any applicable subsections of this Code.

Staff Comment: *No additional site-specific conditions are necessary to meet the purposes and intent of the City of Gardner LDC and the intent or design objectives of any subsections of the Code.*

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.

Staff Comment: *The proposed use does, as submitted, not have an impact on the public realm with regard to design and functions of streetscapes and relationships of the building and site elements to the streetscape.*

5. The adequacy of drainage, utilities and other public facilities.

Staff Comment: *The function of drainage, utilities, and other public facilities are under review by the Department of Public Works and will be a condition of approval.*

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

Staff Comment: *The surrounding area is characterized with heavy commercial and multi-story residential structures, it is compatible with the scale and character of surrounding development patterns, landscape, and site design.*

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

Staff Comment: *The proposed use for this site is compatible with the area in terms of operating characteristics with regard to hours of operations, visible and audible impacts, traffic patterns, intensity of use as proposed or planned, and other potential impacts on adjacent property. Traffic patterns will be addressed in the Traffic Impact Study which will be recommended as a condition of approval.*

8. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Staff Comment: *The application, if approved, will not prevent development or the use of neighboring property in accordance with applicable development regulations. The proposed use is compatible and in character with surrounding zoning and land use.*

9. The long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

Staff Comment: *Long range plans applicable to the site and surrounding area are not negatively impacted by the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.*

10. The recommendations of professional staff.

Staff Comment: *Staff is recommending approval of the application.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

UTILITIES

All utilities to be provided by the City.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1.

ATTACHMENTS

- I. Final Development Plan/CUP
- II. Application

III. Public Notice and Notice Map

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Conditional Use Permit – Approval of a conditional use permit by the Governing Body shall authorize the applicant to apply for a building permit, and other applicable permits. Approval shall be valid for two years, and the Governing Body may grant a one-year extension; provided, that approvals for communication facilities for wireless services shall be for a term of not less than 10 years. Any application not acted upon according to the approval and conditions within this time period shall be void. Any amendment to a conditional use permit shall require the same process as the original approval.

RECOMMENDATION

Staff recommends approval of the Conditional Use Permit with the conditions outlined below

Recommended Motion:

After review of application CUP-20-01, a request for a conditional use permit for the Regency West Daycare Center, located on the west side of Gardner Road approximately 200' north of 188th Street a portion of tax ID CF221435-4003 and CF221435-4004, and site plan dated August 6, 2020, and staff report dated September 22, 2020, the Planning Commission recommends the Governing Body approve the conditional use permit application as proposed, provided the following conditions are met:

1. This Conditional Use Permit request shall not be approved prior to the approval of the preliminary development plan.
2. Prior to the issuance of a Certificate of Occupancy (CO), the applicant shall submit copies of all required State of Kansas permits and licenses.



Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

CONDITIONAL USE PERMIT APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) GARDNER LAND CONCEPTS, LLC
Contact STEVE STALLARD
Address 9292 HUNTINGTON SQ, SUITE 300
City N RICHLAND HILLS State TX Zip 76182
Phone 817-939-7018 Email Steve.stallard@me.com

APPLICANT/AGENT INFORMATION

Name(s) COOK, FLATT, & STROBEL ENGINEERS
Contact LANCE SCOTT
Address 1421 E. 104th ST., STE 100
City KANSAS CITY State MO Zip 64131
Phone 816-333-4477 / 913-484-4777 Email lscott@cfse.com

SITE & PROPOSED USE INFORMATION

Property Address/Location NORTH OF W. 188th ST, WEST OF GARDNER RD
Legal Description (Attach If Necessary) Attached
Total Site Area 1.29 Present Zoning RP-5
Present Land Use AG Proposed Land Use DAY CARE
Will The Use Include New Buildings or Utilize Existing Buildings NEW BUILDING
Proposed Building Type(s) DAY CARE, PEMB
Anticipated daily traffic 94 VPH, PEAK HOUR
Hours of operation/Duration of use (if temporary) 6am to 6:30 pm
Anticipated external sensory impacts (such as sound, odor, residue, etc.) NONE



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SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for conditional use permit as indicated above.

Signature(s):  Date 8/6/20
LANCE W. SCOTT Date _____

CONDITIONAL USE PERMIT APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of a full sized site plan printed and folded |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description (Word) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Sign posting affidavit |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Copies of any other applicable license/permits |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Final Stormwater Management Plan (2 printed and 1 digital copy) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Final Traffic Impact Study (TIS) as required by the Access Management Code. (2 printed and 1 digital copy) |

SITE PLAN REQUIREMENTS

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Vicinity map to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Boundary lines of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Scale, legend, and north arrow clearly shown, with orientation at top or left as north (not less than 1"=100' scale). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Dates of plan preparation and/or plan revisions. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Ownership, zoning, and land use of the site and surrounding properties within 200 feet; both existing and proposed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Setback lines: building and parking with dimensions in feet. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Setback lines: building and parking with dimensions in feet. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. Lots and tracts identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. Note on the plan indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts. |

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 11. Setback lines: building and parking with dimensions in feet. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12. Location of existing open space, alleys, parks, streams, ponds, vegetation or other similar features within plan area, and whether they are to be retained or removed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13. Existing utilities , including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14. Proposed street network , including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. All public streets within the plan conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 16. Intersection site distance analysis. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 17. Driveways, parking lots and stalls, aisles, and loading and service areas and docks and dimensions. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Median breaks and turning lanes , including sizes and radii; both existing and proposed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 19. Vehicle maneuvering/turning templates reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 20. Existing and proposed sidewalks and/or trail locations including proposed widths. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 21. Proposed utilities , including approximate location of sanitary sewer, water main, and street lights. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 22. Existing and proposed easements with dimensions. Existing easements shall be labeled with book and page number. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Any area within a federally designated floodplain. Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Stream corridor boundary and dimensions. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Phasing Plan , if applicable. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 26. Planned amenities , such as fountains, art, outdoor seating, waste receptacles, etc. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 27. Any buildings within the plan area which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 28. Distances between all buildings , between buildings and property lines, and between parking areas and property lines. |

Yes No

- ☒ ☐ 29. **Existing Topography and Proposed Grading** of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering.
- ☒ ☐ 30. **Building elevations** depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations.
- ☒ ☐ 31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
- ☒ ☐ 32. **Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative** to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type.
- ☒ ☐ 33. **Table indicating required and proposed parking spaces.**
- ☒ ☐ 34. **Landscaping plan and table** indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded.
- ☒ ☐ 35. **All exterior sign locations.** Include elevations and details.
- ☒ ☐ 36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
- ☐ ☒ 37. **Outdoor storage areas**, including location, dimensions and design.
- ☐ ☒ 38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
- ☒ ☐ 39. **Preliminary design and location of all proposed storm drainage** conveyance, detention and treatment facilities and locations of existing drainage facilities.

I hereby submit all information required for a conditional use permit application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.



Signature of Applicant

8/6/20

Date

A part of the Southeast Quarter of Section 35, Township 14 South, Range 22 East of the 6th Principle Meridian in the City of Gardner, Johnson County, Kansas, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 35; thence South 88 degrees, 35 minutes, 24 seconds West, along the North line of the Southeast Quarter and the North line of recorded plat "Orscheln Addition", 455.08 feet to the Northwest corner of the plat "Orscheln Addition"; thence South 02 degrees, 31 minutes, 47 seconds East, along the West line of "Orscheln Addition", 116.88 feet to the POINT OF BEGINNING; thence continuing South 02 degrees, 31 minutes, 47 seconds East, along the West line, 327.73 feet to the Southwest corner of the plat "Orscheln Addition"; thence South 87 degrees, 28 minutes, 13 seconds West, 183.78 feet; thence North 02 degrees, 31 minutes, 47 seconds West, 271.97 feet; thence North 87 degrees, 28 minutes, 13 seconds East, 70.00 feet; thence North 02 degrees, 31 minutes, 47 seconds West, 55.76 feet; thence North 87 degrees, 28 minutes, 13 seconds East, 113.78 feet, containing 56,327 square feet, or 1.29 acres, more or less.



Buffer Results

JoCo Home > AIMS Home > Internet Maps

200 foot buffer (35.77 acres)

Buffer search returned 14 properties

No.	Property ID	Area (ft ²)	Acres	Situs Address	Owner Address	City, State Zip
1	CF221435-4004	158,558	3.64	0 NS NT	5100 FRY LN	COLLEYVILLE, TX 76034
2	CP78460000 0001	145,055	3.33	0 NS NT	900 W 48TH PL APT 900	KANSAS CITY, MO 64112
3	CF221435-3001	1,833,876	42.10	0 NS NT	11205 CEDAR ST	LEAWOOD, KS 66211
4	CF221435-3005	875,992	20.11	0 NS NT	876 S JUNIPER TER	GARDNER, KS 66030
5	CF221435-4001	217,364	4.99	0 NS NT	5100 FRY LN	COLLEYVILLE, TX 76034
6	CF221435-4005	217,800	5.00	0 NS NT	5100 FRY LN	COLLEYVILLE, TX 76034
7	CF221435-4003	67,518	1.55	0 NS NT	5100 FRY LN	COLLEYVILLE, TX 76034
8	CF221435-4009	1,245,380	28.59	0 NS NT	3715 SW 29TH ST APT 200	TOPEKA, KS 66614
9	CP78460000 0002	149,846	3.44	0 NS NT	900 W 48TH PL APT 900	KANSAS CITY, MO 64112
10	CP73560000 0003	62,726	1.44	0 NS NT	6756 MAURER RD	SHAWNEE, KS 66217
11	CF221435-3006	828,511	19.02	18590 GARDNER RD	876 S JUNIPER TER	GARDNER, KS 66030
12	CP73560000 0002	65,340	1.50	0 NS NT	690 EISENHOWER RD	LEAVENWORTH, KS 66048
13	CP73560000 0001	62,291	1.43	0 NS NT	6756 MAURER RD	SHAWNEE, KS 66217
14	CP72400000 0001	174,240	4.00	18710 GARDNER RD	132 SHEPPARD AVE WEST SUITE 100	

Total Area of Parcels: 140.14 acres (6,104,498 ft²)

Selected Property



BUSINESS & ECONOMIC DEVELOPMENT

September 2, 2020

Dear Property Owner:

The Gardner Planning Commission will hold their regular meeting on **Tuesday, September 22, 2020, beginning at 7:00 p.m.**, in the Council Chambers at Gardner City Hall, 120 E. Main Street. The following items may be of interest to you:

CUP-20-01: Proposed conditional use permit for a Daycare on approximately 1.3 acres, located on the west side of Gardner Road approximately 200 feet north of 188th Street in Gardner. (Tax ID CF221435-4003); and

PDP-20-04): Proposed rezoning of approximately 15 acres from CP-2 (Planned Commercial) and RP-5 (Planned Apartment House) Districts to CP-2 (Planned Commercial) and RP-5 (Planned Apartment House) Districts with associated Preliminary Development Plan for Regency West, an apartment complex, daycare center and commercial pad site, located on the west side of Gardner Road approximately 200 feet north of 188th Street in Gardner. (Tax IDs CF221435-4005, CF221435-4001, CF221435-4003 and CF221435-4004).

Conditional Use Permit and Rezoning requests are considered public hearing items and the public will be given the opportunity to make oral comments on such requests at the meeting. Written comments are welcomed and encouraged.

A complete legal description for this property is available at the City of Gardner Business & Economic Development Department at Gardner City Hall, 120 E. Main Street, Monday - Friday from 8:00 a.m. - 5:00 p.m. If you have questions relating to this matter, please contact me at 405-630-5217.

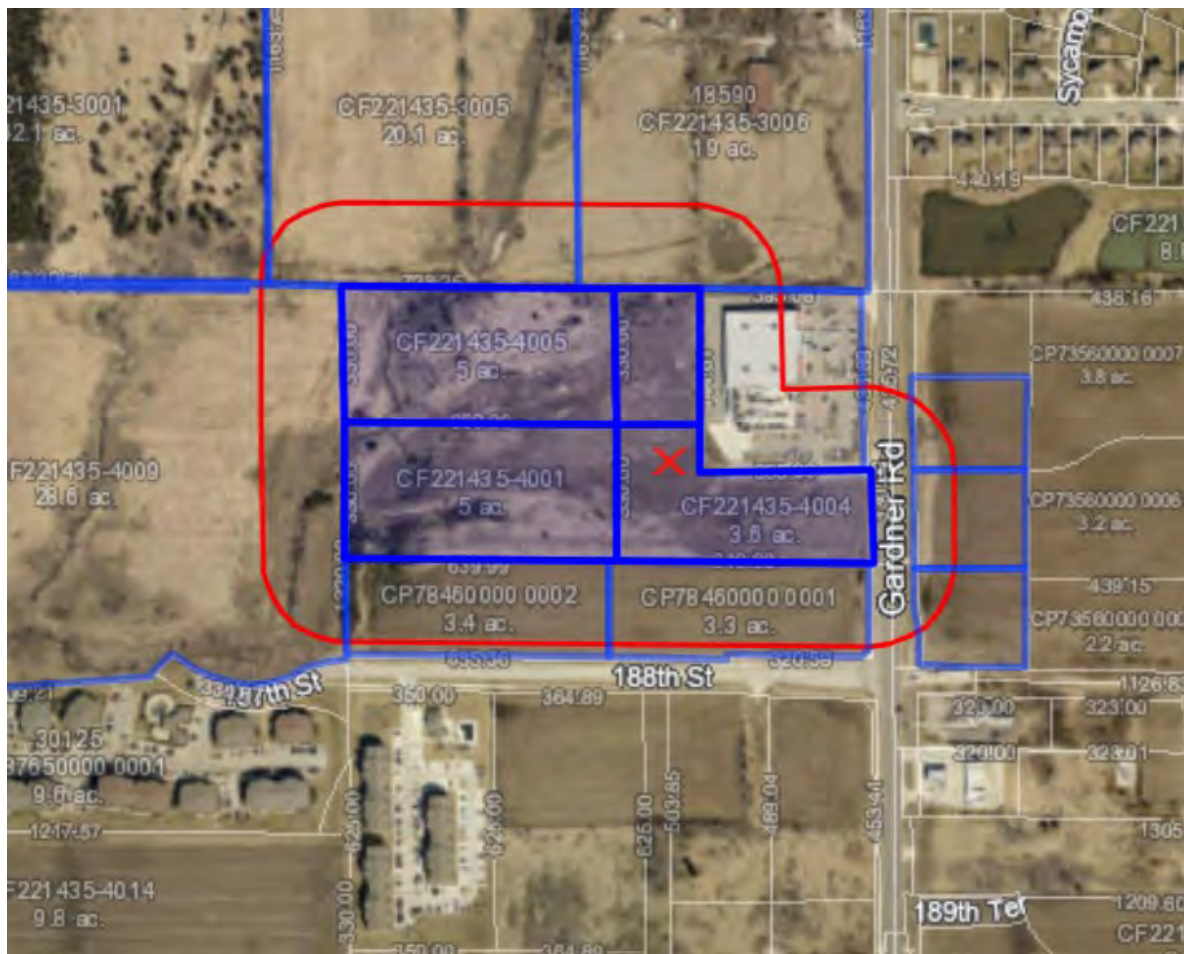
After the Planning Commission makes a recommendation, property owners within 200' of the subject area, 1000' in the county, may submit a protest petition against such recommendation. The protest petition must be filed with the City Clerk, within 14 days of the conclusion of the public hearing. For more information contact the Business & Economic Development Department.

PLEASE NOTE: If you have recently transferred ownership of your property in the area of this request, or if such property is under a contract purchase agreement, we ask you to please forward this letter to the new owner or the contract purchaser.

Sincerely,

Robert D. Case, Chief Planner
City of Gardner, KS

Enclosure



PLANNING COMMISSION STAFF REPORT NEW BUSINESS ITEM NO. 3D & 3E
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: ROBERT CASE, CHIEF PLANNER

PROJECT NUMBER / TITLE: FDP-20-05 Final Development Plan and FP-20-08 for Regency West 1st Plat

PROCESS INFORMATION

Type of Request: Final Development Plan and Final Plat
Date Received: August 6, 2020

APPLICATION INFORMATION

Applicant: Lance Scott; Cook, Flatt & Strobel Engineers
Owner: Gardner Land Concepts, LLC
Parcel ID: A part of CF221435-4003 and CF221435-4004
Location: West side of S Gardner Road approximately 200' north of 188th Street

REQUESTED ACTION

The applicant is requesting approval of the final development plan and final plat for Regency West 1st Plat. The first plat includes one lot for a daycare facility.

EXISTING ZONING AND LAND USE

The property is currently zoned RP-5 (Planned Apartment House) District, and it is currently an unimproved agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
A (Agriculture) District	Unimproved agricultural
East of subject property	
C-3 (Heavy Commercial) District	Orschelns Store
South of subject property	
C-3 (Heavy Commercial) District	Unimproved agricultural
CP-2 (Planned General Commercial) District	Unimproved agricultural
West of subject property	
RP-5 (Planned Apartment House) District	Unimproved agricultural

EXISTING CONDITIONS

Currently, this parcel is undeveloped and unplatted. An existing improved private drive runs along the north side of the proposed lot 2 from the preliminary development plan and provides access

for all proposed lots from the preliminary development plan to S. Gardner Road. Existing utility infrastructure including gas, water, sanitary sewer, electric and stormwater are located adjacent to this site along Gardner Road. There appears to be a floodplain running along the entire western side of this development site.



BACKGROUND / HISTORY

The property was annexed into the City as part of a larger area in 1998 (Resolution 1581). The entire site was then designated as C-3, Commercial District through Ordinance 1984 on May 21st, 2001. In 2004 a development plan was submitted and approved to rezone the properties RP-5 and CP-2 through Ordinance 2131 and 2130 with an associated site plan and again in 2015 another plan was submitted under Ordinance 2485. The plans from Ordinance 2485 have been modified slightly to what is being presented in the current petition. The number of apartment units has been increased from 142 to 196 units and includes a daycare from the original approved plans. The commercial pad site has remained the same as presented and approved back in 2015. These parcels are not developed and have been in agricultural production for many years.

CONSISTENCY WITH COMPREHENSIVE PLAN

The City of Gardner Comprehensive Plan and the I-35 & Gardner Road Interchange Subarea Plan identifies these properties for regional commercial uses and high-density residential. These

uses are generally on larger parcels and are best located near interstates and major arterial roads. The proposed uses for this site conforms to the Comprehensive Plans. The proposed daycare facility will help to provide additional childcare services to a growth area on the south side of Gardner.

STAFF ANALYSIS - FINAL DEVELOPMENT PLAN

This plan is the first phase of the Regency West development and only includes 11,500 square foot daycare on Lot 1.

17.03.040 (F) Review Criteria:

1. In general, any final development plan in compliance with all requirements of this Code shall be approved.

Staff Comment: *The plan is generally in compliance with the Code.*

2. In making a determination of compliance, or for final development plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
 - a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.

Staff Comment: *The site is capable of accommodating the building with the approved deviation on the final development plan. The proposal is capable of accommodating other site design elements required without negatively impacting adjacent property.*

- b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

Staff Comment: *The design and arrangement of buildings and open spaces are consistent with good planning principles and practices.*

- c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.

Staff Comment: *The applicant is proposing architecture and building design using quality materials such as stone wainscot. Additional details such as columns, window details and roof details are provided on the daycare facility.*

- d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.

Staff Comment: *The overall design is compatible with the relationship to the adjacent commercial structure to the east.*

- e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.

Staff Comment: *No additional conditions are necessary for this site.*

3. The application meets the criteria for all other reviews needed to build the project as proposed.

Staff Comment: *The application meets all criteria for their proposed building. Additionally public improvement plans will need to be reviewed and approved by the City. After utilities and an access street is installed, a building permit will need to be obtained.*

4. The recommendations of professional staff.

Staff Comment: Staff recommends approval with the conditions outlined in the recommendations section of the staff report.

5. The final development plan is in substantial compliance with the approved preliminary development plan.

Staff Comment: The final development plan is in substantial compliance with the preliminary development plan in relation to the number of lots and the lot layout and street layout.

STAFF ANALYSIS - FINAL PLAT

17.03.020 (E1) Review Criteria:

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.

Staff Comment: The final plat is in substantial compliance with the preliminary plat considering the number of lots, block layout, street designs and access.

- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.

Staff Comment: Public improvement plans shall be submitted and approved prior to the release of the final plat for recording at the County. The applicant and City are currently working to locate the proposed sanitary sewer lift station along the southern property area of the overall larger development.

- c. The phasing and timing of public improvements ensures construction and performance guarantees.

Staff Comment: Public improvement plans shall be submitted and approved prior to the release of the final plat for recording and issuance of building permits to ensure all improvements are in place. Public improvements are to be complete prior to the issuance of a building permit.

- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.

Staff Comment: No deviations are requested on this final plat.

- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Comment: Planning staff recommends approval of the final plat with the conditions outlined in the Recommended Motion below.

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

UTILITIES –

All city utilities are available to the property.

STORM SEWER –

Storm sewer improvements are provided for with the proposed storm water detention and drainage areas. A final storm water study has been submitted and comments are being

addressed with the Public Works Department. The final study will need to be approved prior to the release of the plat for recording.

ROADWAY NETWORK & VEHICULAR ACCESS –

The applicant has submitted a Traffic Impact Study that is being addressed with the Public Works Department. The final study will need to be approved prior to the release of the plat for recording. Sidewalks are located adjacent to all of the private roads located throughout the preliminary development plan with connections to the existing sidewalk along Gardner Road.

EXCISE TAX

Excise tax is levied with the act of platting the portion of the property in the city. Any of the subject property that has never been a part of a final plat before is therefore subject to paying the excise tax. This tax is based on the square footage of the plat property, excluding any arterial type right-of-way dedication for streets and parkland dedication.

The current tax rate is \$0.20 per square foot of land area platted. This plat includes 1.39 acres (60,548.40 s.f.) that has not paid excise tax before. **Therefore the excise tax shall total \$12,109.68.** This tax shall be paid prior to the Mayor signing an approved recordable plat.

ATTACHMENTS

- I. Final development plan document
- II. Final plat document
- III. Applications

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Final Development Plan – Approval of a final development plan shall authorize the applicant to apply for a building permit and other applicable permits. The Director may approve minor amendments to approved final development plans without the refiling of a new application, but in no event shall the Director approve any change that does not qualify for an administrative site plan, or any change that is different from any condition of approval of the final development plan.

Final Plat – If the Planning Commission approves or conditionally approves the final plat, the plat shall be forwarded to the Governing Body with a recommendation that they accept dedication of land for public purposes such as easements, rights-of-way and public facilities. The approval of the final plat; acceptance of the dedication of land for public purposes; finding that the construction plans for any utilities, infrastructure or public facilities meet all City technical specifications; and payment of the excise tax if applicable, authorizes the filing of the plat with the Johnson County

Records and Tax Administration. Any approval with conditions or exceptions to the rules shall be clearly stated on the plat. Any plat not recorded within two years from the date of acceptance of land by the Governing Body shall be null and void. Upon approval of the final plat, dedications, and construction plans and recording of the plat, the applicant may proceed with the construction of required improvements. No building permit shall be authorized until the completion, inspection and acceptance of all required improvements.

RECOMMENDATION – FINAL DEVELOPMENT PLAN

Staff recommends approval of the final development plan for Regency West 1st Plat with the conditions outlined in the Recommended Motion below.

Recommended Motion:

After review of application FDP-20-05 a final development plan for Regency West 1st Plat, on a portion of tax ID CF221435-4003 and CF221435-4004, a final development plan dated August 6, 2020 and staff report dated September 22, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. The applicant shall obtain approval of the final Stormwater Management Plan and Traffic Impact Study from the Public Works Department.
2. Approved deviation for additional parking spaces on lot 1 from the preliminary development plan.

RECOMMENDATION – FINAL PLAT

Staff recommends approval of the final plat for Regency West 1st Plat with the conditions outlined in the Recommended Motion below.

Recommended Motion:

After review of application FP-20-08, a final plat for Regency West 1st Plat, a portion of tax ID CF221435-4003 and CF221435-4004, and final plat dated August 6, 2020, and staff report dated September 22, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. Preliminary plat PP-20-09, revised PDP-20-04 shall be approved prior to the release of the final plat FP-20-08 for recording.
2. Approval of both the Traffic Impact Study and the Stormwater Management Plan by the City of Gardner Public Works Department.
3. Provide a maintenance agreement for the shared access easements prior to the release of the plat for recording.
4. Payment of excise tax to the City.

and recommends the Governing Body accept the dedication of right-of-way and easements.

Final Development Plan/C.U.P.

REGENCY WEST 1ST PLAT LOT 1 - DAY CARE CENTER

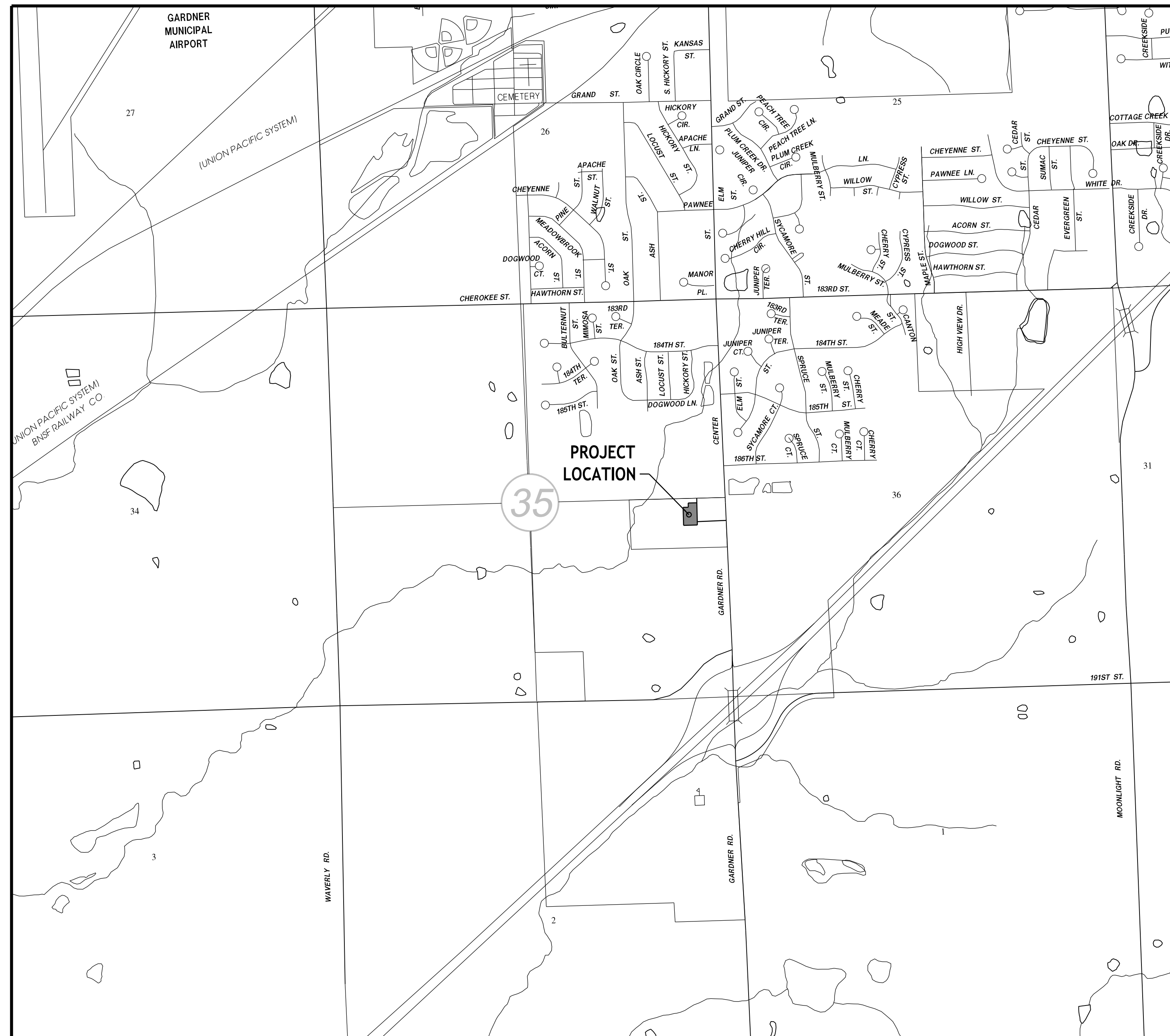
*City of Gardner
Johnson County, Kansas
Section 35, Township 14 South, Range 22 East*

Title Sheet	1
Site Plan	2
Grading Plan	3
Utilities Plan	4
Landscape Plan	L1-L2
Lighting Plan	E1
Building Elevation	A201

A PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE 6TH PRINCIPLE MERIDIAN IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 35; THENCE SOUTH 88 DEGREES, 35 MINUTES, 24 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER AND THE NORTH LINE OF RECORDED PLAT "ORSCHELN ADDITION", 455.08 FEET TO THE NORTHWEST CORNER OF THE PLAT "ORSCHELN ADDITION"; THENCE SOUTH 02 DEGREES, 31 MINUTES, 47 SECONDS EAST, ALONG THE WEST LINE OF "ORSCHELN ADDITION", 116.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02 DEGREES, 31 MINUTES, 47 SECONDS EAST, ALONG THE WEST LINE, 327.73 FEET TO THE SOUTHWEST CORNER OF THE PLAT "ORSCHELN ADDITION"; THENCE SOUTH 87 DEGREES, 28 MINUTES, 13 SECONDS WEST, 183.78 FEET; THENCE NORTH 02 DEGREES, 31 MINUTES, 47 SECONDS WEST, 271.97 FEET; THENCE NORTH 87 DEGREES, 28 MINUTES, 13 SECONDS EAST, 70.00 FEET; THENCE NORTH 02 DEGREES, 31 MINUTES, 47 SECONDS WEST, 55.76 FEET; THENCE NORTH 87 DEGREES, 28 MINUTES, 13 SECONDS EAST, 113.78 FEET, CONTAINING 56,327 SQUARE FEET, OR 1.29 ACRES. MORE OR LESS.

Power:	City of Gardner (913)856-7535	Power:	KCP&L (913)684-7334
Gas:	Kansas Gas Service (913)599-8981		
Water:	City of Gardner (913)856-7535	IN	IN
Sewer:	City of Gardner (913)856-7535	K A N S A S	M I S S O U R I
Cable TV:	Time Warner (913)643-1901		
Telephone:	Century Link (913)856-2232	1-800- 344-7233 DIG-SAFE	1-800- 344-7233 DIG-RITE



SECTION 35-T14S-R22E
Scale: 1"=1000'

Project Bench Marks

BM #1 - Set "□" - Elev. 1044.13 NAVD 88
*Chiseled on top front CL of Catch Basin on West curb
of South Gardner Rd. 450+/- North of West 188th St.*

BM #2 - Set "□" - Elev. 1036.05 NAVD 88
*Chiseled on top NE Corner of curb inlet, 4th curb inlet West on
side of W. 188th St. from intersection of Gardner Rd. & W. 188th*

CFS **ENGINEERS**
 1421 E. 104th Street, Ste. 100 KCMO 64131
 o: 816-333-4477 f: 816-333-6688
cfs.com
 KANSAS CERTIFICATE OF AUTHORITY NUMBER 000282

[illegible]

FINAL DEVELOPMENT PLAN/C.U.P. REGENCY WEST 1ST PLAT LOT 1 DAY CARE CENTER GARDNER, KS	LWS 8/27/2020	8/27/2020	8/27/2020	8/27/2020	8/27/2020	8/27/2020
	LWS 8/27/2020	8/27/2020	8/27/2020	8/27/2020	8/27/2020	8/27/2020

13745 SHEET

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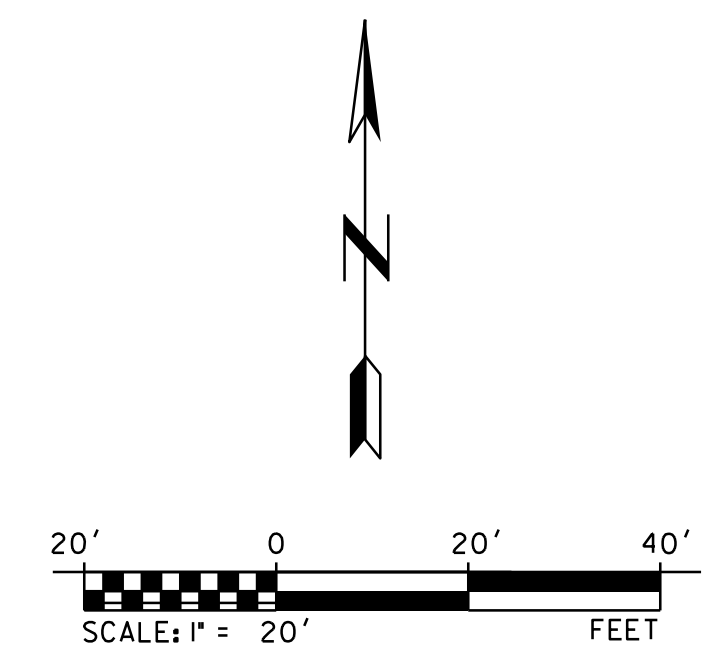
GARDNER LAND CONCEPTS, LLC
UNPLATTED
RP-5

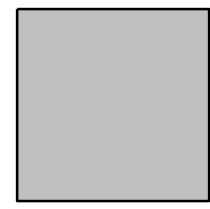
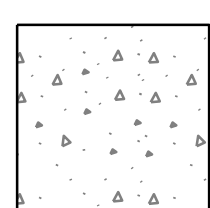
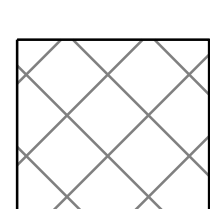
SS REALTY LP
EXISTING
ORSCHLON
FARM & HOME
LOT 1
ORSCHLON ADDITION
CP-2

11,500 S.F.
DAY CARE
CENTER
LOT 1
RP-5

GARDNER LAND CONCEPTS, LLC
UNPLATTED
CP-2

SIGHT DISTANCE TRIANGLE
90' LENGTH, 14.5' BACK FROM EDGE OF
TRAVELLED WAY PER AASHTO



-  PROPOSED ASPHALT PAVEMENT
-  PROPOSED CONCRETE PAVEMENT
-  PROPOSED PERVIOUS CONCRETE PAVEMENT

CFS ENGINEERS
cfe.com
1421 E. 104th Street, Suite 100, Overland Park, KS 66209
P: 913-333-4417 F: 913-333-9688
KANSAS CERTIFICATE OF AUTHORITY NUMBER 000282

LUCAS W. WILLIAMS - ENGINEER
KS. P.E. # 271382

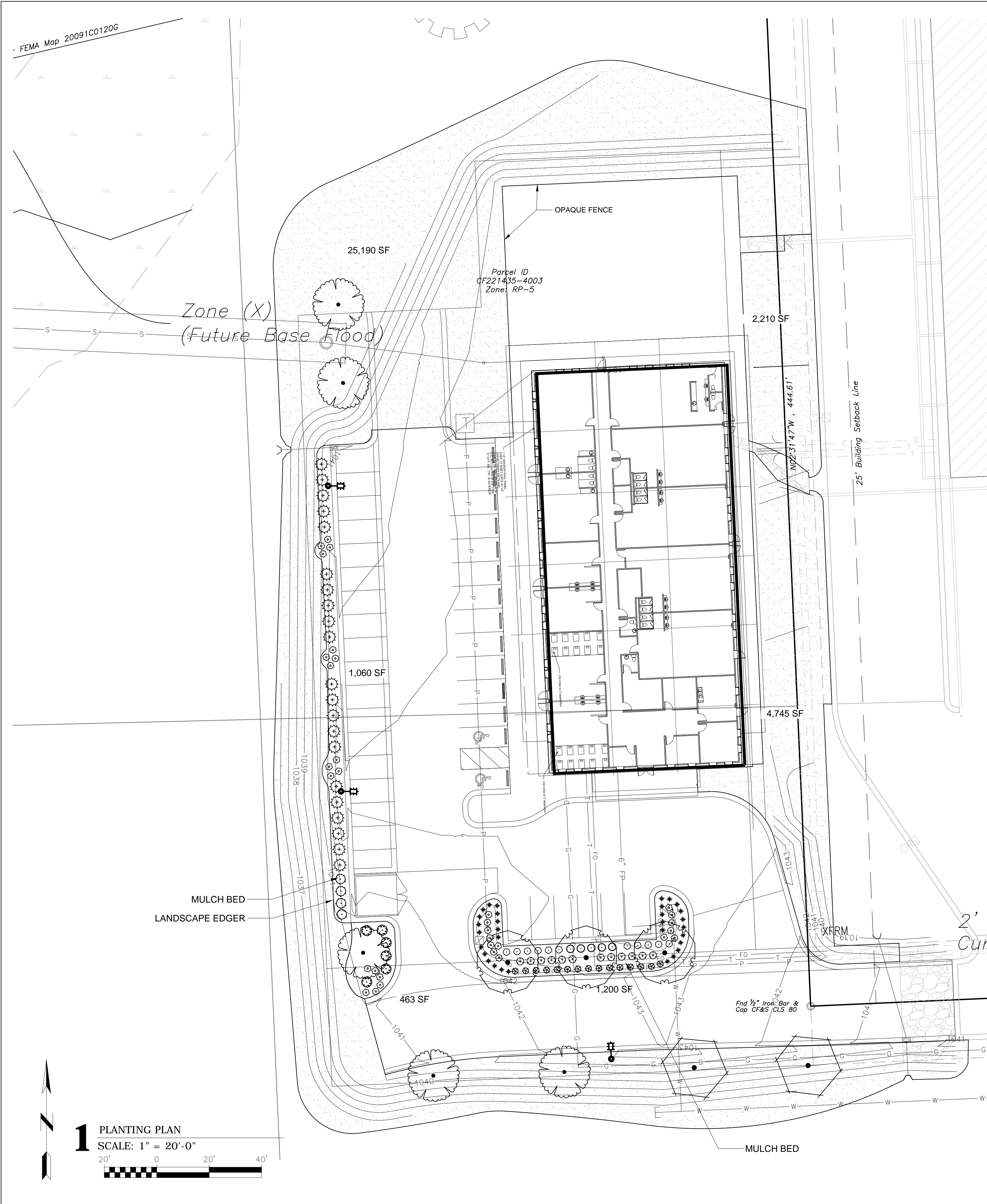
Rev.	Date	Revised per city comments	By	Date
1	8-28/20			

Designed by: LWS	Date: 8/27/2020	Reviewed by: TEI	Final scale: 1/20
Drawn by: RWP	Submitted by: LWS	File name: 205258-ST-SH+DP-Site-Plan.dgn	Plot name: 8/27/2020 4:52:47 PM
REGENCY WEST 1ST PLAT LOT 1 DAY CARE CENTER GARDNER, KS		FINAL DEVELOPMENT PLAN/C.U.P.	



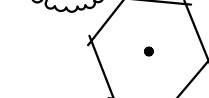
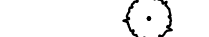








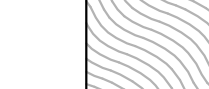
SITE PLAN

Sheet
reference
number:

2



PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	FIELD2	SPACING	QTY
	Acer miyabei 'State Street' / Miyabei Maple	B & B	2"Cal		3
	Acer platanoides 'Warrenred' TM / Pacific Sunset Maple	B & B	2"Cal		5
	Quercus bicolor / Swamp White Oak	B & B	2"Cal		2
SHRUBS	BOTANICAL / COMMON NAME	SIZE	CONTAINER		QTY
	Buxus sempervirens 'Fastigiata' / Upright Boxwood	2 gal	Container		4
	Fothergilla gardenii / Dwarf Fothergilla	2 gal	Container		5
	Hypericum kalmianum 'Ames' / Ames St. Johns Wort	2 gal	Container		32
	Juniperus x pfitzeriana 'Sea Green' / Sea Green Juniper	2 gal	Container		21
	Lagerstroemia 'PILLAG-V' / Enduring SummerTM Red Crapemyrtle	3 gal	Container		6
	Nepeta x faassenii 'Walkers Low' / Walkers Low Catmint	2 gal	Container		11
ANNUALS/PERENNIALS	BOTANICAL / COMMON NAME	SIZE	CONTAINER		QTY
	Hemerocallis x 'Pardon Me' / Pardon Me Daylily	1 gal	Container		31
GRASSES	BOTANICAL / COMMON NAME	SIZE	CONTAINER		QTY
	Calamagrostis x acutiflora 'Karl Foerster' / Foerster's Feather Reed Grass	2 gal	Container		12
	Pennisetum alopecuroides 'Hameln' / Hameln Dwarf Fountain Grass	2 gal	Container		15
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	FIELD2	SPACING	QTY
	Turf Sod Marathon III / Turf-type Tall Fescue	sod			25,190 sf

Landscape Requirements:

CODE 17.08.030 PARKING AREAS:

- 1 MEDIUM OR LARGE TREE EVERY 40 PARKING SPACES
CALCULATION: 39 PARKING STALLS REQUIRES 1 TREES (2 PROVIDED)
- 1 SHRUB FOR EVERY 5 LINEAR FEET OF PERIMETER BUFFER ALONG FRONTAGE/STREET SIDE.
CALCULATION: 215 LF OF WEST SIDE PARKING PERIMETER EQUALS 43 SHRUBS (49 PROVIDED)
- 1 LARGE OR MEDIUM TREE FOR EVERY 50 LINEAR FEET OF PERIMETER BUFFER.
CALCULATION: 170 LF OF PERIMETER BUFFER EQUALS 4 TREES (4 TREES PROVIDED)

OTHER OPEN AREAS GENERALLY

- 1 TREE PER 10,000 S.F.
CALCULATION: 25,117 S.F. OF OPEN SPACE EQUALS 3 TREES (3 TREES PROVIDED)
- 1 SHRUB PER 5,000 S.F.
CALCULATION: 25,117 S.F. OF PERIMETER BUFFER EQUALS 5 SHRUBS (MANY MORE THAN 5 PROVIDED)

CODE 17-08-040 SCREENING AND FENCING

- PROVIDE SCREENING FOR ALL ELECTRICAL AND MECHANICAL EQUIPMENT SUCH AS TRANSFORMERS, AIR CONDITIONERS, OR COMMUNICATION EQUIPMENT AND ANTENNAS, PERMANENT OUTDOOR STORAGE AREAS, AND TRASH ENCLOSURES (PROVIDED)

ALLOCATION PERCENTAGE

- MATERIAL REQUIREMENTS: 0% - 70% TURF; 20% - 90% LANDSCAPE; AND 10% - 20% HARDSCAPE
- MATERIAL REQUIREMENTS PROVIDED: 60% TURF, 20% LANDSCAPE, 20% HARDSCAPE

TREE DIVERSITY

1 10 TREES = AT LEAST 2 GENUS (3 PROVIDED)
NO MORE THAN 50% OF ANY ONE SPECIES (PROVIDED)

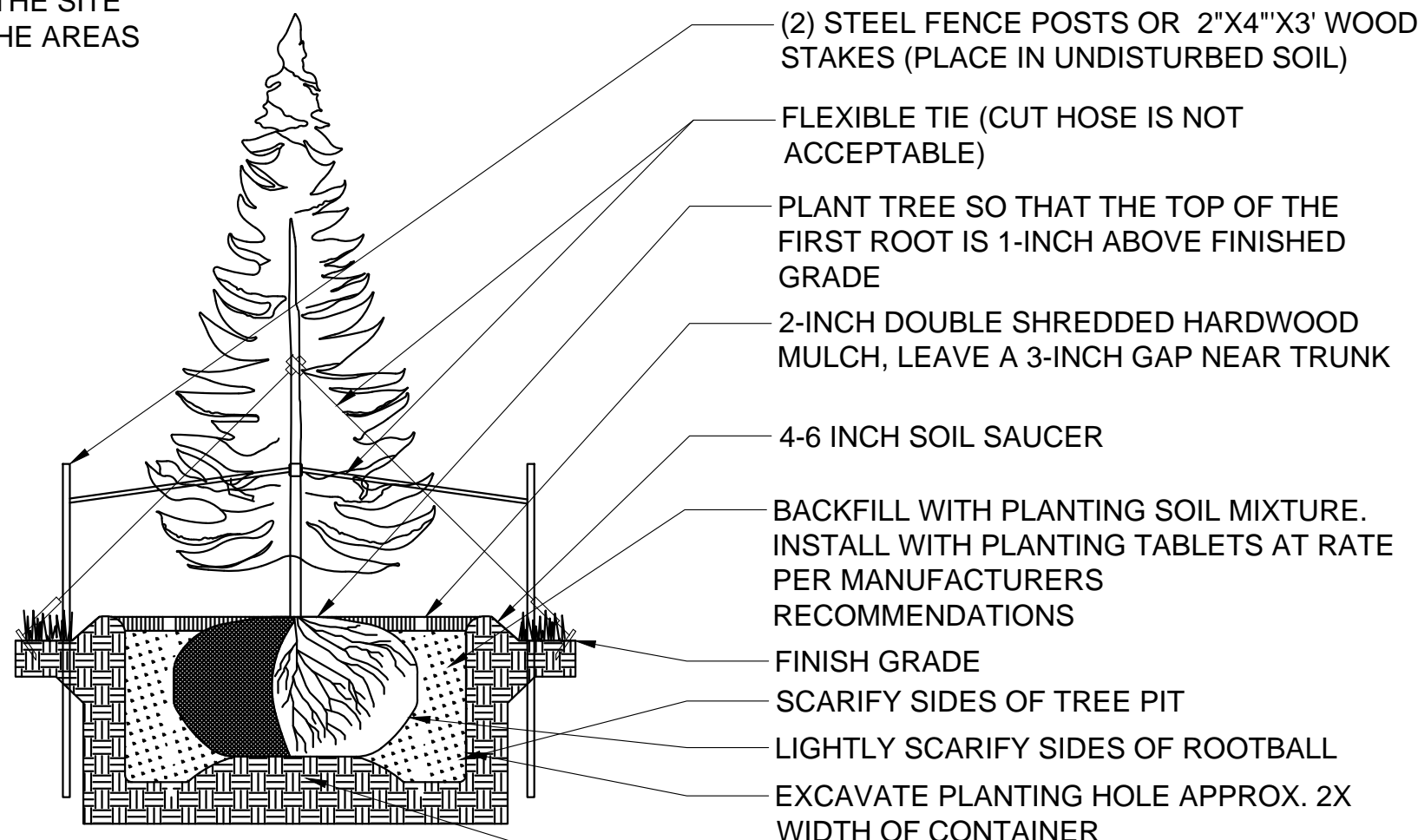
MINIMUM PLANT SPECIFICATION

- LARGE OR MEDIUM TREE - 2" CALIPER
- SMALL TREE - 1.5" CALIPER
- EVERGREEN - 5' MINIMUM HEIGHT
- SHRUB 18" MINIMUM HEIGHT
- ALL TURF AREAS SHALL BE SODDED

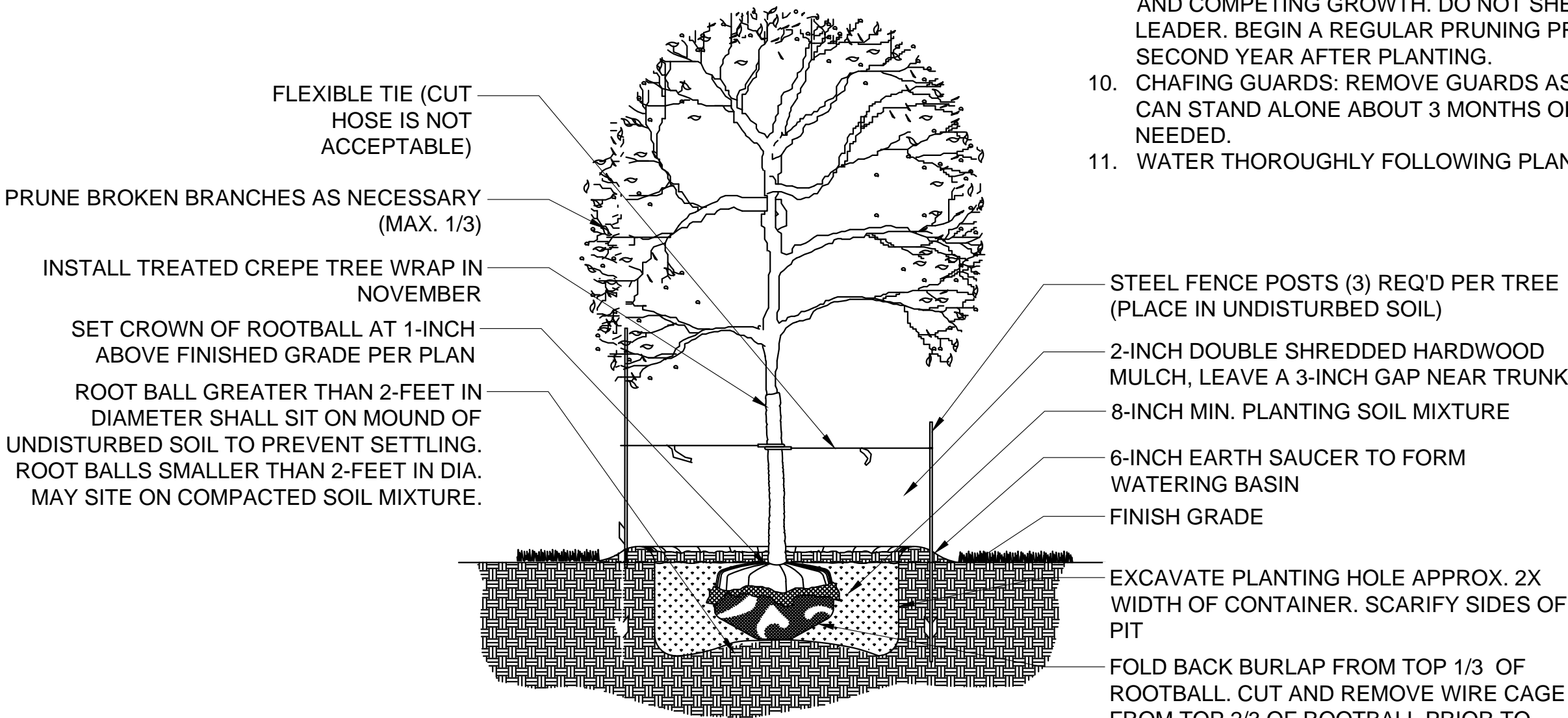
Landscape Notes:

- ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
- THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING AND NEW UTILITY LOCATIONS PRIOR TO PLANTING, AND SHALL REPORT ANY UTILITY CONFLICTS TO THE OWNER'S REPRESENTATIVE. ANY DAMAGE TO UTILITIES OR OTHER SITE IMPROVEMENTS CAUSED BY THE CONTRACTOR WILL BE REPAIRED AT NO COST TO THE OWNER. REFER TO CIVIL AND ELECTRICAL DRAWINGS FOR PROPOSED UTILITY LOCATIONS AND EXTERIOR LIGHTING LOCATIONS.
- THE CONTRACTOR SHALL KEEP ROOT BALLS INTACT PRIOR TO AND DURING PLANTING OPERATIONS. PLANTS WITH BROKEN OR DAMAGED ROOT BALLS SHALL BE REJECTED AND IMMEDIATELY REMOVED FROM THE SITE. KEEP ROOT BALLS DAMP AND PROTECTED FROM DAMAGE DUE TO WIND AND SUN. DO NOT SHAVE ROOT BALL. ALL WIRE BASKETS SHALL BE CUT AND REMOVED FROM THE ENTIRE TOP AND 2/3 OF SIDES OF ROOT BALLS PRIOR TO INSTALLATION.
- THE OWNER RESERVES THE RIGHT TO SUBSTITUTE PLANT MATERIAL TYPE, SIZE, AND / OR QUANTITY. CONTRACTOR CANNOT SUBSTITUTE PLANT MATERIAL WITHOUT WRITTEN APPROVAL OF THE OWNER.
- THE OWNER S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT CONFORMING TO THE SPECIFICATIONS.
- ALL PLANT MATERIAL MUST CONFORM TO THE AMERICAN STANDARDS FOR NURSERY STOCK (A.S.N.S.), LATEST EDITION PUBLISHED BY THE (ANLA) ANSI Z60.1. THIS IS A REPRESENTATIVE GUIDELINE SPECIFICATION ONLY AND WILL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR THE PLANT MATERIAL.
- LARGER SIZED PLANT MATERIALS OF THE SPECIES LISTED MAY BE USED IF THE STOCK CONFORMS TO THE A.S.N.S. ALL SPECIES SUBSTITUTIONS MUST BE APPROVED IN WRITING BY THE OWNER'S REPRESENTATIVE.
- ANY MATERIAL WHICH DIES, OR DEFOLIATES (PRIOR TO ACCEPTANCE OF THE WORK) WILL BE PROMPTLY REMOVED AND REPLACED FREE OF CHARGE.
- ALL PLANT MATERIAL SHALL BE GUARANTEED TO BE IN LIVE AND HEALTHY CONDITION FOR ONE FULL YEAR AFTER FINAL PROJECT ACCEPTANCE OR SHALL BE REPLACED FREE OF CHARGE WITH SAME GRADE AND SPECIES.
- THE LOCATION OF PLANT MATERIAL IS CRITICAL AND SHALL BE INSTALLED AS INDICATED ON THE DRAWINGS. STAKE OR MARK LOCATION OF ALL PLANT MATERIAL AND BED LINE LOCATIONS. OBTAIN APPROVAL OF OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION OF ALL MATERIAL.
- THE LANDSCAPE CONTRACTOR SHALL REMOVE ALL CONSTRUCTION DEBRIS AND MATERIALS DETRIMENTAL TO PLANT GROWTH FROM PLANTING PITS AND BEDS PRIOR TO BACKFILLING WITH PLANTING MIX.
- THE LANDSCAPE CONTRACTOR SHALL TEST PROPOSED PLANTING AREAS FOR SOIL NUTRIENT DEFICIENCIES AND UNDESIRABLE SOIL TEXTURE AND STRUCTURE. BASED ON THE RESULTS OF THIS TESTING, THE LANDSCAPE CONTRACTOR SHALL PROVIDE AND INCORPORATE SOIL CONDITIONING MATERIALS (IE: FERTILIZER, SAND, COMPOST, ETC.) AS NECESSARY TO DEVELOP A PLANT GROWTH MEDIUM OF ADEQUATE FERTILITY, STRUCTURE, AND TEXTURE FOR THE ESTABLISHMENT OF LANDSCAPE MATERIALS. PEAT IS NOT ACCEPTABLE.
- THE LANDSCAPE CONTRACTOR SHALL REMOVE FROM THE SITE ALL ROCK GREATER THAN 1-INCH AND ALL DEBRIS IN THE AREAS OF PROPOSED NEW PLANTINGS.

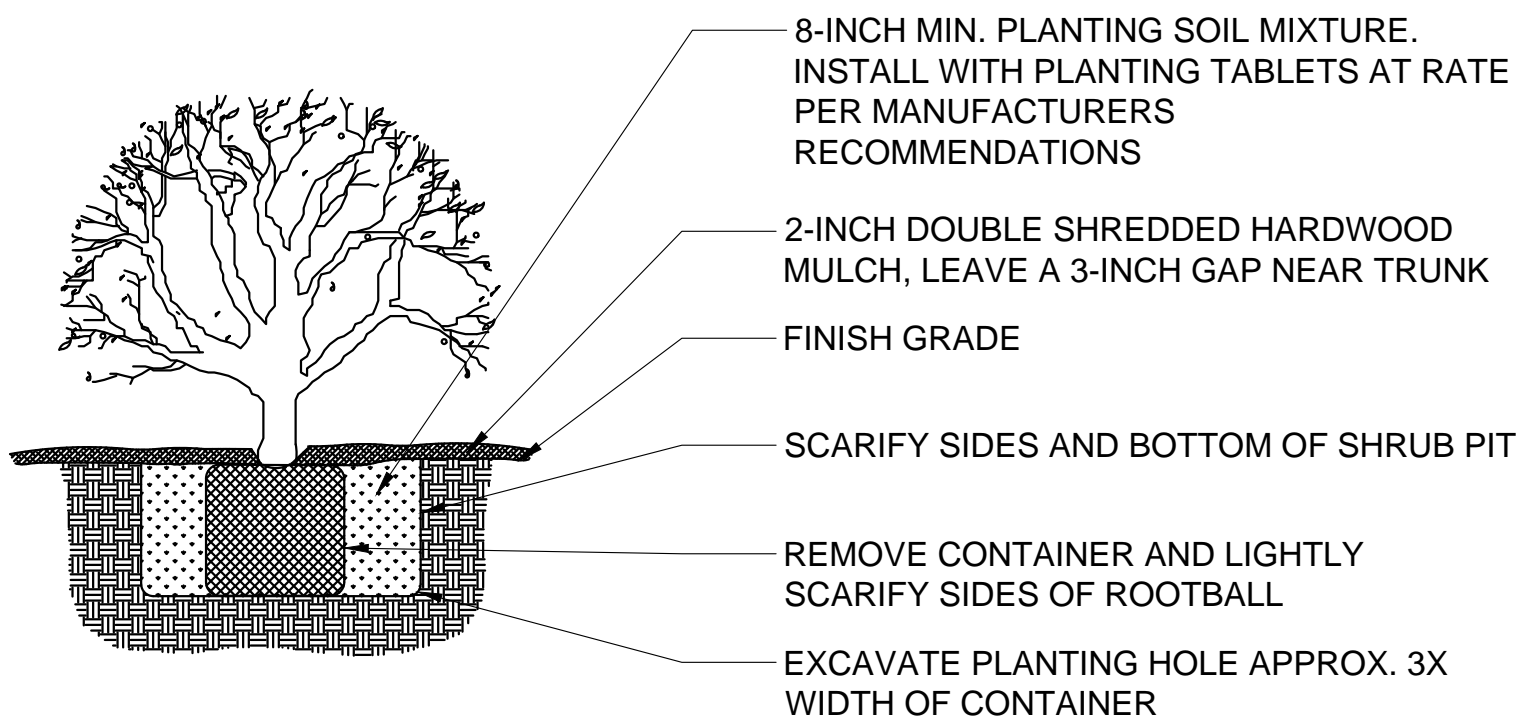
- REMOVE AND DISPOSE OF ALL PLANT MATERIAL ON PROJECT AREA INCLUDING BUT NOT LIMITED TO: TURF, SHRUBS, AND GROUND COVER.
- CONTRACTOR MAINTENANCE PERIOD: THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR COMPLETELY MAINTAINING HIS SCOPE OF WORK UNTIL FINAL ACCEPTANCE OF THE WORK BY THE LANDSCAPE ARCHITECT AND OWNER. THIS WORK SHALL INCLUDE, BUT IS NOT LIMITED TO, WATERING, MULCHING, SPRAYING, WEEDING, AND FERTILIZING PLANTING AND TURF AREAS.
- IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO PROVIDE THE OWNER WITH HORTICULTURAL INFORMATION AS A GUIDE TO THE MAINTENANCE OF ALL PLANTS IN THIS PLAN FOR OPTIMUM GROWTH AND VIGOR.
- OWNER MAINTENANCE: THE OWNER SHALL PROVIDE FOR THE MAINTENANCE OF PLANTINGS PER THE RECOMMENDATIONS PROVIDED BY THE CONTRACTOR COMMENCING WITH FINAL ACCEPTANCE OF THE WORK.
- CONTRACTOR WARRANTY PERIOD: PER THE CITY OF STAFFORD REQUIREMENT, THE CONTRACTOR SHALL GUARANTEE THE SURVIVAL OF THE PLANTS OF THIS PLAN FOR ONE (1) YEAR FROM NOTICE OF OCCUPANCY.
- PLANTING SCHEDULE:
TREE PLANTING: MARCH 15 - JUNE 15 OR SEPTEMBER 15 - DECEMBER 31
SHRUB PLANTING: APRIL 15 - JUNE 15 OR AUGUST 15 - OCTOBER 15
SOD PLANTING: MARCH 15 - JUNE 15 OR SEPTEMBER 15 - DECEMBER 1
- MULCH: PROVIDE DOUBLE SHREDDED HARDWOOD MULCH UNLESS OTHERWISE INDICATED ON PLANS AROUND ALL TREES AND WITHIN PLANTING BEDS TO A 2-INCH MINIMUM DEPTH. APPLY PRE-EMERGENT TO ALL PLANTING BEDS PRIOR TO MULCHING.
- SOD: ALL SOIL SURFACES NOT DESIGNATED FOR PLANTING OF TREES, SHRUBS, AND/OR LANDSCAPE ROCK PER THIS PLAN ARE TO BE SODDED.
- METAL EDGER - STEEL EDGING, SIZE: 3/16-INCH WIDE BY 4-INCH DEEP, 15-INCH LONG STAKES, FINISH: GREEN POWDERCOATED, ACCEPTABLE MANUFACTURERS INCLUDE: BORDER CONCEPTS, RUSSEL, J.D. COMPANY (THE), OR SURE-LOC EDGING CORPORATION.
- SEE TREE PLANTING DETAILS FOR TREE MYCORRHIZAL FUNGI/SOIL CONDITIONER APPLICATION REQUIREMENTS.
- ALL PLANTING METHODS SHALL COMPLY WITH CITY OF GARDNER, KANSAS STANDARDS.



2 EVERGREEN PLANTING DETAIL
SCALE: NTS



1 TREE PLANTING DETAIL
SCALE: NTS



3 SHRUB PLANTING DETAIL
SCALE: NTS

Tree Planting Notes:

- EXCAVATE A PIT WHICH IS AT LEAST TWICE THE DIAMETER OF THE ROOTBALL AND THE SAME DEPTH-NO DEEPER. HANDLE THE TREE BY THE ROOT BALL, NOT THE TRUCK. BE SURE THE ROOT BALL RESTS ON SOLID GROUND.
- DO NOT DISTURB ROOT BALL WHEN PLANTING OR STAKING. CRACKED OR OTHERWISE DAMAGED ROOT BALLS SHALL BE REJECTED.
- BACKFILL WITH PLANTING SOIL
- INSTALL MYCORRHIZAL FUNGI/SOIL CONDITIONER AT EVERY TREE. INSTALL ONE 3 OUNCE PACKET PER CALIPER OF TREE. ACCEPTABLE MANUFACTURERS INCLUDE BEBANON SEABOARD CORPORATION, PHC TREE SAVER OR GROW-POWER, INC GROWLIFE.
- SATURATE THE ENTIRE BACKFILL SOIL WITH WATER. ADD MORE SOIL IF NEEDED TO COMPENSATE FOR SETTLING.
- DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING.
- REMOVE EXCESS DEBRIS FROM AROUND ROOT COLLAR/FLARE IS LEVEL OR SLIGHTLY ABOVE (1" MAX) ADJACENT UPHILL GRADE.
- COVER SMOOTHED SOIL WITH 2 INCHES OF MULCH. LEAVE GAP NEAR THE TRUCK. KEEP MULCH WEEDED. REPLACE AS NEEDED.
- PRUNE ONLY BROKEN OR BADLY DEFORMED BRANCHES TO RETAIN SHAPE OF THE SPECIES. PRUNE OUT SECONDARY AND COMPETING GROWTH. DO NOT SHEAR. DO NOT CUT LEADER. BEGIN A REGULAR PRUNING PROGRAM THE SECOND YEAR AFTER PLANTING.
- CHAFING GUARDS: REMOVE GUARDS AS SOON AS THE TREE CAN STAND ALONE ABOUT 3 MONTHS OR LONGER IF NEEDED.
- WATER THOROUGHLY FOLLOWING PLANTING.

Planting Bed Installation Notes:

- ALL PLANTATION BEDS SHALL BE AMENDED WITH 1 CUBIC YARD OF COTTON BOLL COMPOST PER 1000 SQUARE FEET. FILL COTTON BOLL INTO SOIL TO A 6" DEPTH. A 10-10-10 FERTILIZER SHALL BE SPREAD OVER ALL PLANTING AREAS PRIOR TO PLANTING, AT A RATE OF 50 POUNDS PER 2000 SQ. FT.
- AFTER PLANTING HAVE BEEN INSTALLED, ALL PLANTING BEDS SHALL BE TREATED WITH DACTHAL PRE-EMERGENT HERBICIDE PRIOR TO MULCH OR ROCK APPLICATION.
- PLANT PIT BACKFILL FOR SHRUBS SHALL BE 25% COTTON BOLL COMPOST AND 25% TOP SOIL AND 50% EXISTING SOIL. TOP SOIL SHALL BE NATURAL FERTILE, FRIABLE SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE PRODUCTIVE SOILS IN THE AREAS. SOIL SHALL NOT BE EXCESSIVELY ACID, ALKALINE OR TOXIC THAT MAY BE HARMFUL TO PLANT GROWTH. ALSO, FREE OF CLAY LUMPS, STONES, STUMPS, ROOTS OR SUBSTANCE 2" OR MORE IN DIAMETER.
- PLANTING TABLETS: INSTALL MANUFACTURER GRO-POWER, INC, PRODUCT: GROPOWER TABLETS, SIZE: 7-GRAM TABLETS, RATE: 1 TABLETS PER 1-GALLON CONTAINER AND 4 TABLETS PER 3-GALLON CONTAINER AND 7 TABLETS PER 5-GALLON CONTAINER.
- PLANTED BED EDGES SHALL BE IN STRAIGHT LINES OR GENTLE FOLLOWING CURVES. SUDDEN CURVES OR SHARP ANGLE SHOULD BE AVOIDED.

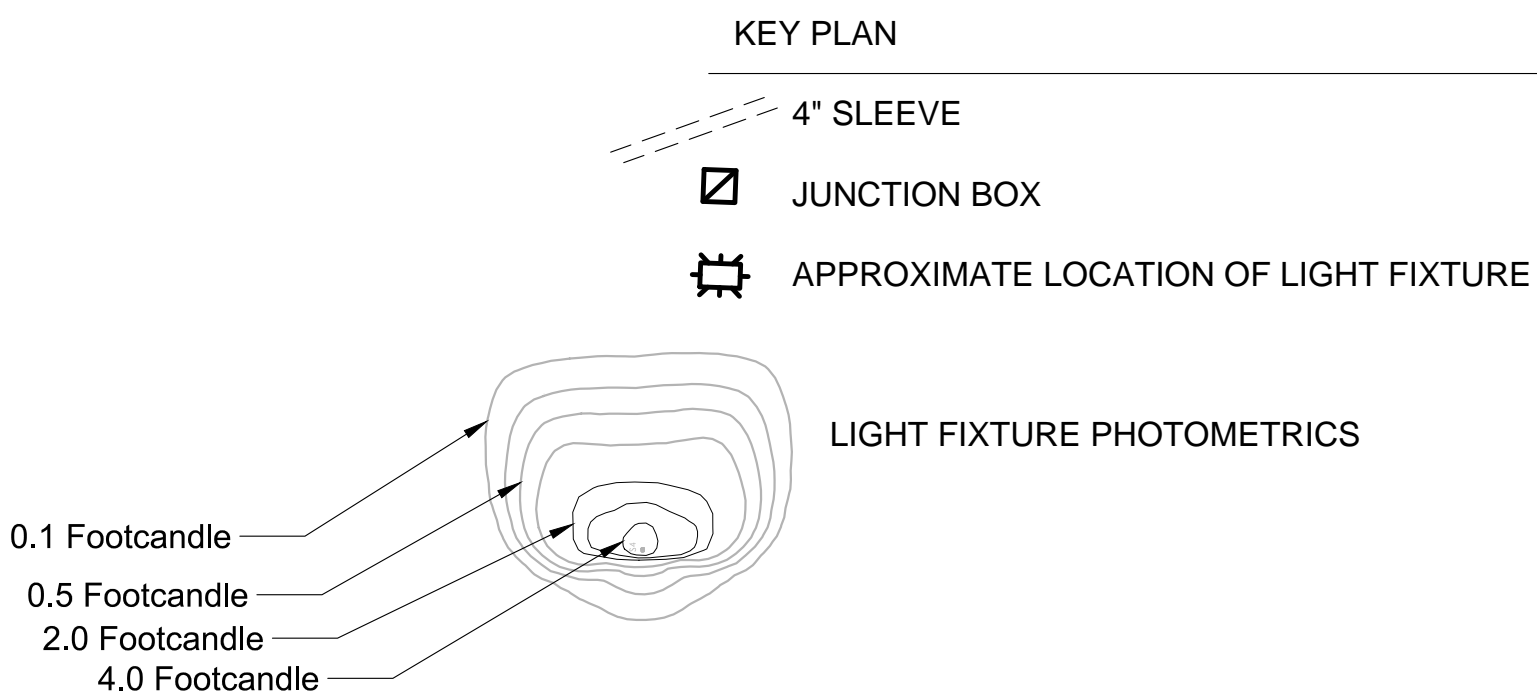
Rev.	Date	By	Description	Appr.

Rev.	Date	By	Description	Appr.

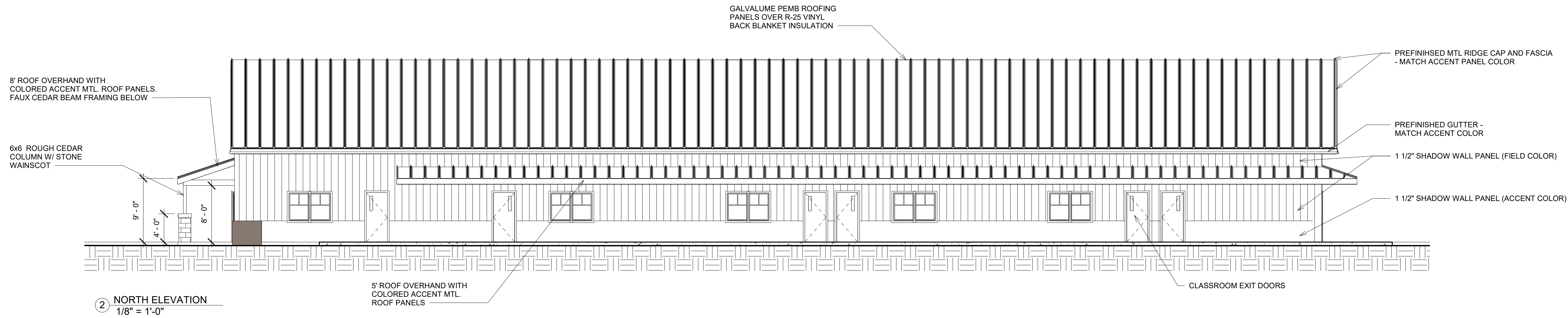


1. ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
- 1) THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS OF ALL POWER AND COMMUNICATION CIRCUITS PRIOR TO CONSTRUCTION. POWER IS MOST LIKELY 200 AMP SERVICE.

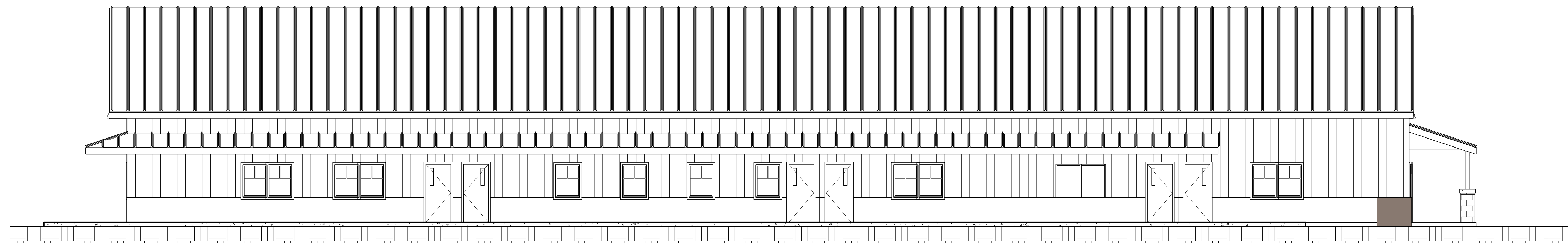
- 1) ROUTE POWER FROM ADJACENT POWER POLE TO EACH REMOTE DRIVER. INSTALL ELECTRICAL POWER IN 1-INCH CONDUIT UNDER SIDEWALK TO BRIDGE CONCRETE COLUMN ADJACENT TO DRIVER. INSTALL POWER UP BRIDGE CONCRETE COLUMN INSIDE OF 1-INCH CONDUIT.
- 2) DRIVER: COORDINATE DRIVER VOLTAGE TO MATCH POWER SUPPLY.
- 3) THE ENTIRE CIRCUIT SHOULD BE (2) #8 WIRE AND (1) #10 GROUND WIRE.
- 4) INSTALL A LIGHT SENSOR ONTO BUILDING ROOF IN LOCATION SHOWN. PROVIDE CONTROL WIRE INSIDE OF 1-INCH CONDUIT TO ELECTRICAL PANEL WITHIN BUILDING.
- 5) COORDINATE LOCATION OF ALL ELECTRICAL CONDUIT WITH OWNER'S REPRESENTATIVE.
- 6) THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING AND NEW UTILITY LOCATIONS PRIOR TO CONSTRUCTION, AND SHALL REPORT ANY UTILITY CONFLICTS TO THE OWNER'S REPRESENTATIVE. ANY DAMAGE TO UTILITIES OR OTHER SITE IMPROVEMENTS CAUSED BY THE CONTRACTOR WILL BE REPAIRED AT NO COST TO THE OWNER.
- 7) COMBINED ABOVE-GROUND HEIGHT OF POLE AND FOUNDATION SHALL BE 22'-0"
- 8) ALL POLE FOUNDATIONS SHALL BE DRILLED AND GROUND. ALL CONDUIT SHALL BE INSTALLED INSIDE PROTECTIVE 2" MIN. DIAMETER PVC CONDUIT WITH LONG-SWEEP BENDS AT THE JUNCTIONS AND POLE BASES.
- 9) THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING A FULLY FUNCTIONAL SYSTEM. ALL COORDINATION EVERYTHING INCLUDING FEES, PERMITS, MATERIALS AND FIELD WORK TO SAFELY CONNECT ELECTRICAL POWER AND EXTEND TO THE CONTROLLER SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- 10) THE CONTRACTOR SHALL SUBMIT A WIRING AND CONDUIT PLAN, SIGNED AND SEALED BY AN ELECTRICAL ENGINEER REGISTERED IN THE STATE OF MISSOURI, SHOWING THE EXACT WIRING SIZES AND TYPES, THE CONDUIT SIZE, TYPE AND LOCATION, AND THE PROPOSED METERING TYPE AND LOCATION TO THE ENGINEER AND OWNER FOR APPROVAL PRIOR TO COMMENCING CONSTRUCTION OPERATIONS.

[illegible]

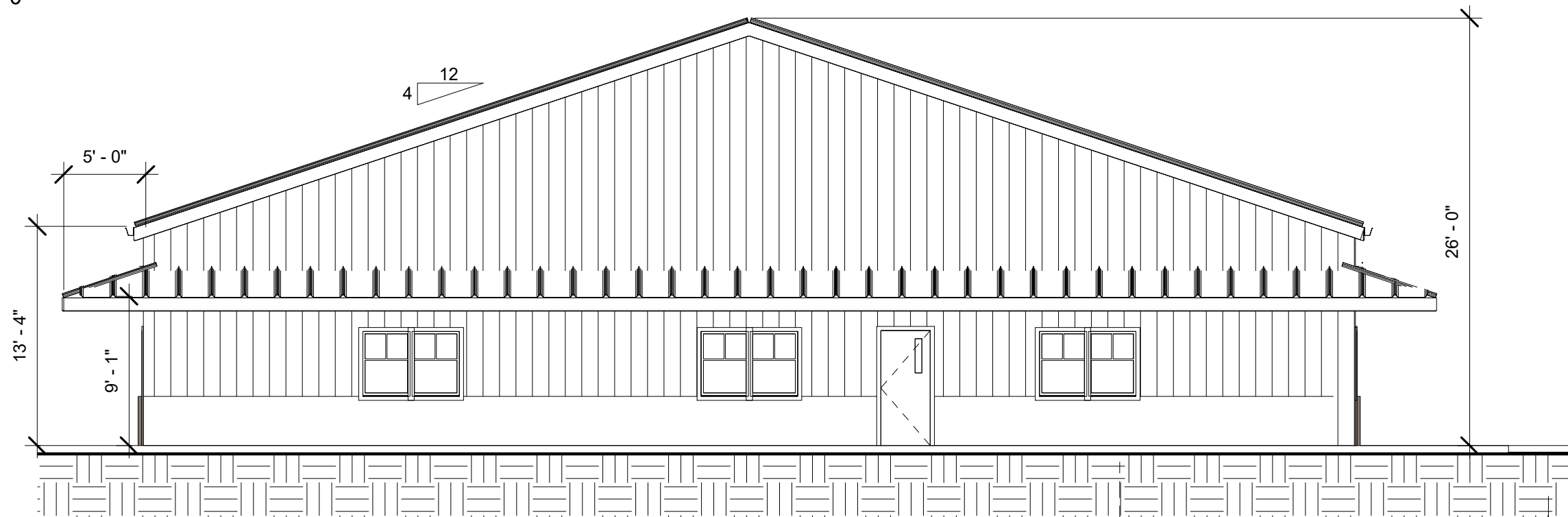
Copyright 2020, Caton Architectural Design LLC 8/28/2020 10:28:51 AM



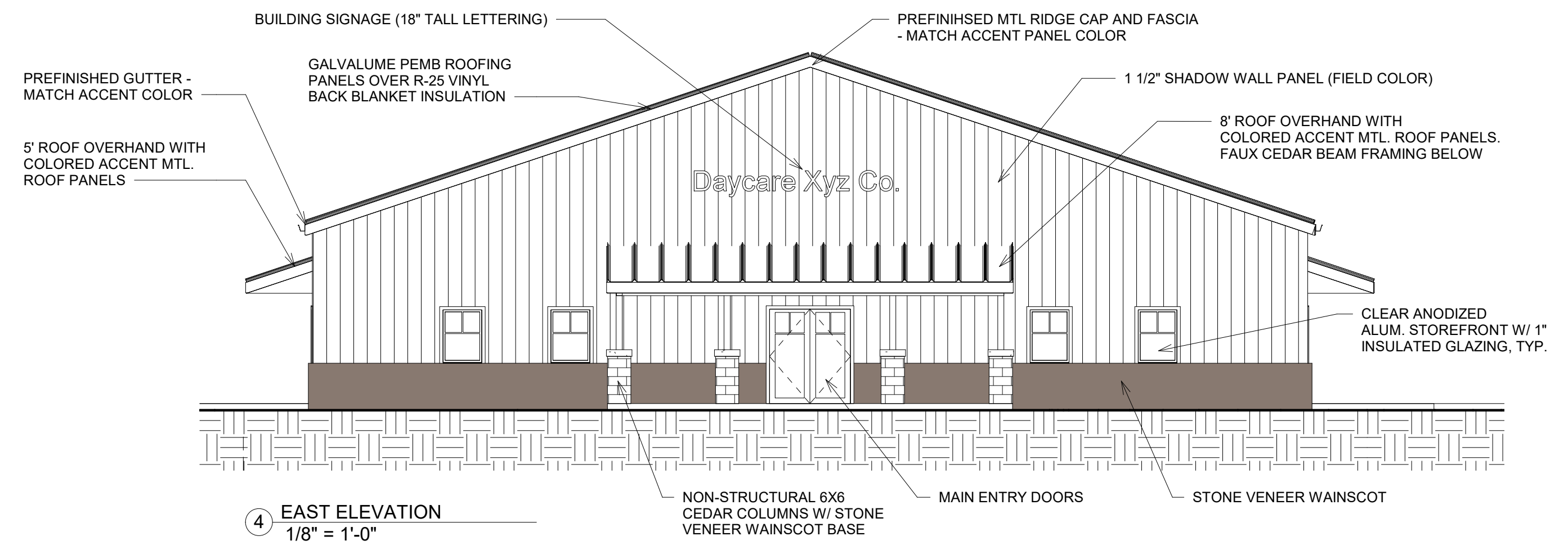
② NORTH ELEVATION
1/8" = 1'-0"



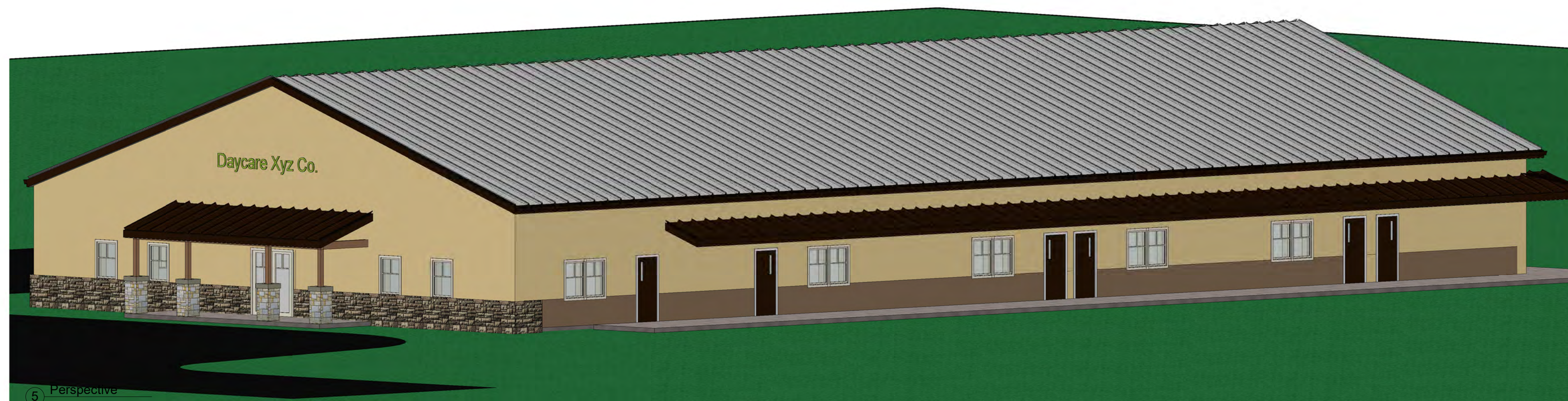
① SOUTH ELEVATION
1/8" = 1'-0"



③ WEST ELEVATION
1/8" = 1'-0"



④ EAST ELEVATION
1/8" = 1'-0"



⑤ Perspective



Caton
Architectural
Design LLC

6320 Marion Avenue
Kansas City, Mo 64133
www.caton4design.com
913-515-3384

DayCare
GARDNER, KANSAS

DESIGNER: SEC
DRAWN BY: SEC
JOB NO.: 010520
DATE: 08-28-2020

PROJECT REVISIONS

SHEET NUMBER

Elevations

A201

**SITE PLAN AND DESIGN REVIEW
FINAL DEVELOPMENT PLAN
APPLICATION**Pre-App Date _____
Fee _____
File No. _____**OWNER INFORMATION**Name(s) GARDNER LAND CONCEPTS, LLC
Contact STEVE STALLARD
Address 9292 HUNTINGTON SQ, SUITE 300
City N. RICHLAND HILLS State TX Zip 76182
Phone 817-939-7018 Email stevestallard@me.com**APPLICANT/AGENT INFORMATION**Name(s) COOK, FLATT, & STROBEL ENGINEERS
Contact LANCE SCOTT
Address 1421 E. 104th St., Ste 100
City KANSAS CITY State MO Zip 64131
Phone 816-333-4477 / 913-484-4777 Email lscott@cfse.com**SITE INFORMATION**Property Address/Location: NORTH OF W. 188th St on the West side of Gardner Rd
Legal Description (Attach If Necessary) Attached
Number of Existing Lots 0 Number of Proposed Lots 1
Total Site Area 1.29 AC Present Zoning RP-S
Proposed Use DAY CARE Present Land Use AG
Proposed Street Design Type(s) & Class PRIVATE
Proposed Type(s) Open & Civic Space PLAYGROUND (PRIVATE), LANDSCAPE
Proposed Frontage Type(s) LANDSCAPED
Proposed Building Types(s) DAY CARE, PEMB**SIGNATURE**

I/We, the undersigned am/are the (owner(s)), (duly authorized agent), (Circle One) of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a site plan and design review or final development plan as indicated above.

Signature(s):  Date 8/6/20
LANCE W. SCOTT Date _____

SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of full sized plans printed including color elevations, folded |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Copy of all covenants and restrictions applicable to the development, if applicable. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Sign posting affidavit. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Evidence of the establishment of the agency for the ownership and maintenance of any common open space and all assurances of the financial and administrative ability of such agency or document dedicating the facilities to the city. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Deeds of dedication for all rights-of-way or easements required as a result of preliminary development plan approval if conveyance thereof is not to be made by plat or by the filing of the final development plan. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Evidence of satisfaction of any conditions of the preliminary development plan approval which were conditions precedent to consideration of the final development plan. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. Final Stormwater Management Plan (2 printed and 1 digital copy) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 11. Final Traffic Impact Study (TIS) as required by the Access Management Code. (2 printed and 1 digital copy) |

PLAN REQUIREMENTS

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Vicinity map to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Boundary lines of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Scale, legend, and north arrow clearly shown, with orientation at top or left as north (not less than 1"=100' scale). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Dates of plan preparation and/or plan revisions. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Ownership, zoning, and land use of the site and surrounding properties within 200 feet; both existing and proposed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Setback lines: building and parking with dimensions in feet. |


Yes No

- ☒ ☐ 8. **Setback lines:** building and parking with dimensions in feet.
- ☒ ☐ 9. **Lots and tracts identified clearly**, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres.
- ☒ ☐ 10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.
- ☒ ☐ 11. **Setback lines:** building and parking with dimensions in feet.
- ☒ ☐ 12. **Location of existing open space, alleys, parks, streams, ponds, vegetation** or other similar features within plan area, and whether they are to be retained or removed.
- ☒ ☐ 13. **Existing utilities**, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
- ☒ ☐ 14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
- ☐ ☒ 15. **All public streets within the plan conform** to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions.
- ☐ ☒ 16. **Intersection site distance analysis.**
- ☒ ☐ 17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
- ☐ ☒ 18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed.
- ☒ ☐ 19. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.
- ☒ ☐ 20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
- ☒ ☐ 21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
- ☒ ☐ 22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
- ☐ ☒ 23. **Any area within a federally designated floodplain.** Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).
- ☐ ☒ 24. **Stream corridor boundary** and dimensions.
- ☐ ☒ 25. **Phasing Plan**, if applicable.

Yes No

- ☒ ☐ 26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
- ☒ ☐ 27. **Any buildings within the plan area** which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.).
- ☒ ☐ 28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.
29. **Existing Topography and Proposed Grading** of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering.
- ☒ ☐ 30. **Building elevations** depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations.
- ☒ ☐ 31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
- ☒ ☐ 32. **Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative** to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type.
- ☒ ☐ 33. **Table indicating required and proposed parking spaces.**
- ☒ ☐ 34. **Landscaping plan and table** indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded.
- ☐ ☐ 35. **All exterior sign locations.** Include elevations and details.
- ☒ ☐ 36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
- ☐ ☒ 37. **Outdoor storage areas**, including location, dimensions and design.
- ☒ ☐ 38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
- ☒ ☐ 39. **Preliminary design and location of all proposed storm drainage** conveyance, detention and treatment facilities and locations of existing drainage facilities.

I hereby submit all information required for a site plan and design review, or final development plan application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.


Signature of Applicant


Date

A part of the Southeast Quarter of Section 35, Township 14 South, Range 22 East of the 6th Principle Meridian in the City of Gardner, Johnson County, Kansas, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 35; thence South 88 degrees, 35 minutes, 24 seconds West, along the North line of the Southeast Quarter and the North line of recorded plat "Orscheln Addition", 455.08 feet to the Northwest corner of the plat "Orscheln Addition"; thence South 02 degrees, 31 minutes, 47 seconds East, along the West line of "Orscheln Addition", 116.88 feet to the POINT OF BEGINNING; thence continuing South 02 degrees, 31 minutes, 47 seconds East, along the West line, 327.73 feet to the Southwest corner of the plat "Orscheln Addition"; thence South 87 degrees, 28 minutes, 13 seconds West, 183.78 feet; thence North 02 degrees, 31 minutes, 47 seconds West, 271.97 feet; thence North 87 degrees, 28 minutes, 13 seconds East, 70.00 feet; thence North 02 degrees, 31 minutes, 47 seconds West, 55.76 feet; thence North 87 degrees, 28 minutes, 13 seconds East, 113.78 feet, containing 56,327 square feet, or 1.29 acres, more or less.

PLANNING COMMISSION STAFF REPORT
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: LAURA BERGEY, AICP

NEW BUSINESS ITEM No. 2

PROJECT NUMBER / TITLE: CUP-20-02 Conditional Use Permit for Lakes of Conestoga

PROCESS INFORMATION

Type of Request: Conditional Use Permit

Date Received: August 7, 2020

APPLICATION INFORMATION

Applicant: Curtis Holland

Owner: Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis

Parcel ID: CF231430-1012

Location: The southeast corner of E. Santa Fe Street and Conestoga Drive.

REQUESTED ACTION

The applicant is requesting approval of CUP-20-02 a Conditional Use Permit for Lakes of Conestoga, a 95 unit Manufactured/Mobile Home Community located at the southeast corner of E. Santa Fe Street and Conestoga Drive.

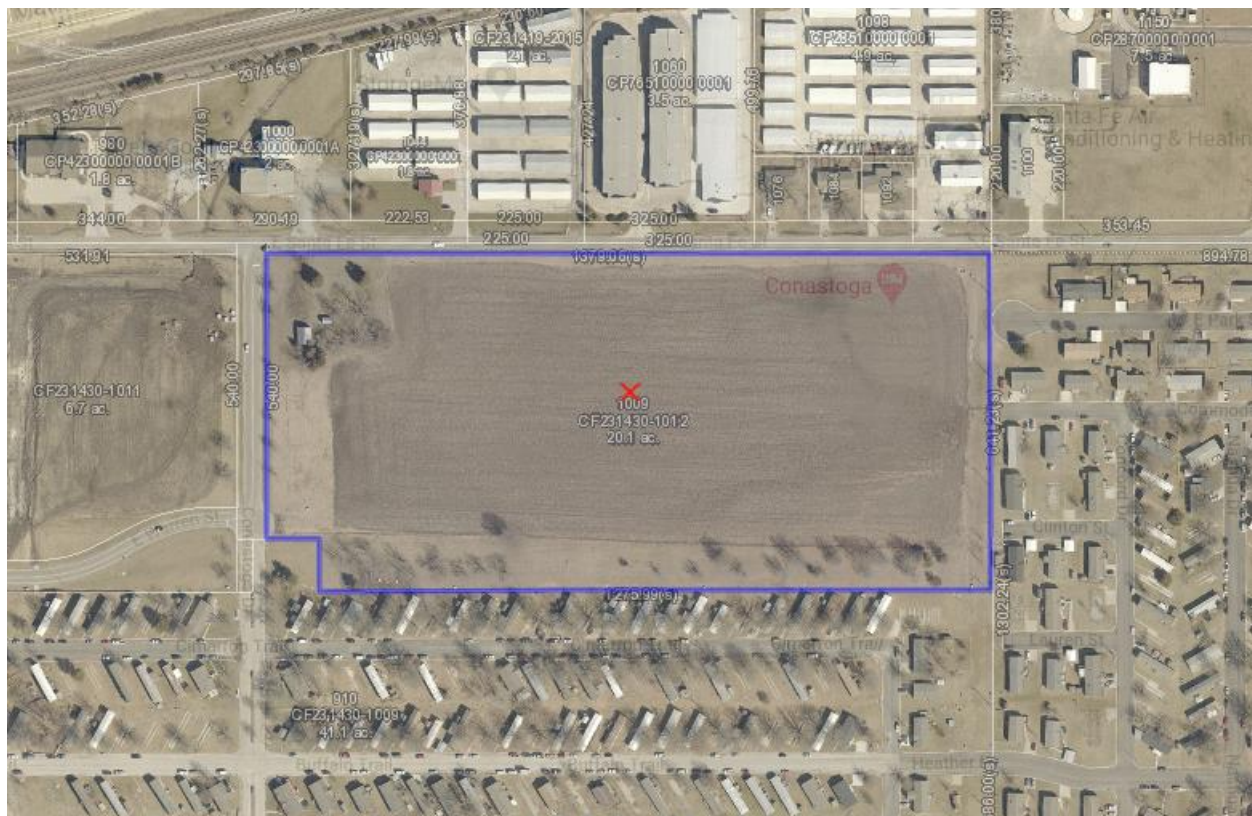
EXISTING ZONING AND LAND USE

The site is currently zoned R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts and is agricultural in use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
M-1 (Restricted Industrial) District	Pet Supply Store (Pets Go Here)
M-2 (General Industrial) District	Outdoor Self Storage (StorageMart)
C-3 (Heavy Commercial) District	Outdoor Self Storage (StorageMart and Attic Storage of Gardner) Single-Family Residential (3 unplatted homes)
MP-1 (Planned Restricted Industrial) District	Outdoor Self Storage (Gardner Auto Body & Towing and Outback Storage)
East of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
South of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
West of subject property	
CP-3 (Planned Commercial) District	Undeveloped land

R-2 (Two-Family Residential) District	Undeveloped land
---------------------------------------	------------------



EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. All utilities are available to this site and will be serviced by the City of Gardner. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.

BACKGROUND / HISTORY

The property was annexed on March 6, 1978 per Ordinance 1337. Currently, the property is not in use. At the time the property was annexed into the City, the property was zoned for retail business uses in 1971 and 1973, and a mobile home park in 1973 by the Gardner Township Zoning Board as part of Johnson County Government. In approximately 1982, a portion of the property was rezoned to R-2 (Two-Family Residential district) but was not developed and has remained undeveloped since.

The current zoning pattern of the site shows a majority of the property is zoned C-3 (Heavy Commercial District), with a small portion of the property near the Conestoga Drive/Warren Street intersection zoned R-2 (Two-Family Residential District) and R-M (Residential Manufactured and Mobile Home Planned District).

CONSISTENCY WITH COMPREHENSIVE PLAN

The *Future Land Use Map* in the *City of Gardner 2014 Comprehensive Plan* identifies this parcel for “Light Industrial & Office Park” future land use, which is described as areas with uses primarily consisting of light manufacturing, general office, and distribution. The Industrial Areas Plan, located in the Land Use and Development chapter of the Comprehensive Plan, further defines this parcel as “Local Industrial,” which is defined as “smaller pockets of manufacturing and light industrial operations that have a close relationship to adjacent residential or commercial areas and require unique strategies to ensure that they remain vital, and do not negatively impact nearby uses.” Although the requested change is not entirely in conformance to the amended Future Land Use Map, the parcel subject to this project has been identified as “Light Industrial & Office Park,” in which the MP-3 zoning district is not a compatible zoning designation within that land use category. However, staff is supportive of the development request for the following reasons:

- The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. With the approval of this request, the proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.
- The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.

Although the proposed zoning district is not consistent with the designated future land use description, this planned development meets other Comprehensive Plan goals, and is supported by data in other plans, as follows:

- One of the core themes of the Comprehensive Plan is Housing Variety to support on-going investment in housing and attract new residents. The Housing Variety goal is intended to ensure that the housing stock responds to a variety of users, including young professionals, new families, empty-nesters and seniors in need of assistance. Providing a range of options allows support for all income levels to move toward home ownership. Specifically the housing objectives that are addressed by this development include:
 - a. Establish land use and development controls that promote high quality residential buildings and encourage construction of single-family housing options for families that want to move up, but stay in the community;
 - b. Ensure existing residential areas are well-protected from commercial and industrial land uses through the use of buffers and screening;
 - c. Ensure new residential developments are sited within close proximity and access to schools and parks.

STAFF ANALYSIS – ZONING

This section highlights contents of the application which may merit particular consideration in regard to zoning intent and standards. If a standard is not presented, it has been met. Standards not met will be addressed in conditions of approval at the end of this report. A full analysis to all applicable regulations is available on request.

This application is for a conditional use permit to allow approval of a 95 unit Manufactured/Mobile Home Community. Within the City of Gardner Land Development Code, a “Manufactured/Mobile/Micro Home Community” is defined as a parcel of land planned and

designed for multiple home sites for the placement of manufactured, mobile or other small homes, and used for the principal dwelling of households for long-term residency. Home sites may either be located on a single lot, owned through appropriate condominium procedures, or platted for individual ownership of each site under certain conditions.

17.03.050(B) Review Criteria:

1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts.

Staff Comment: *While the subject property is not yet currently zoned to support the uses of the proposed conditional use permit, should the corresponding proposed rezoning (Z-20-08) be approved, the application furthers the intent of the zoning district by providing a form of affordable and attainable housing for the City of Gardner. Because the site is surrounded by complimentary zoning districts and land uses, the proposed use does not conflict with the intent of adjacent districts.*

2. Compliance of any proposed development with the requirements of this Code.

Staff Comment: *Although a final development plan has yet to be approved, a corresponding preliminary development with associated rezoning will be considered at this public hearing, where intent, land use, and design features such as site layout, open space and civic features, parking, and landscaping, will be discussed and considered. Given this circumstance, the preliminary development plan and associated rezoning, as submitted, are in compliance with the requirements of this code. However, this request shall not be approved prior to the approval of these items. This is a condition of approval.*

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this Code and the intent or design objectives of any applicable subsections of this Code.

Staff Comment: *No additional site-specific conditions are necessary to meet the purposes and intent of the City of Gardner LDC and the intent or design objectives of any subsections of the Code.*

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.

Staff Comment: *The proposed use does, as submitted, not have an impact on the public realm with regard to design and functions of streetscapes and relationships of the building and site elements to the streetscape. Although a final landscape plan has yet to be approved, the applicant has proposed to meet all requirements of the Local-Neighborhood street requirements and has provided appropriate spacing for landscaping and street trees between the curb and sidewalk. A final landscape plan will be approved with the final development plan, addressing site relationship with the public realm with street trees, frontage landscape design, and pedestrian connection. Additionally, building façades will be approved during this time as well, to ensure compatible, attractive, and diverse features that are in scale with surrounding buildings.*

5. The adequacy of drainage, utilities and other public facilities.

Staff Comment: *The function of drainage, utilities, and other public facilities have been reviewed and recommended for approval in the preliminary development plan and will be considered at this public hearing. The use proposed by the applicant does not impact drainage, utilities, or other public facilities on the site or to surrounding development.*

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

Staff Comment: *The surrounding area is characterized with single-story residential structures, and single- and double-story commercial/industrial structures. The proposed single-story residential structures are compatible with the scale and character of surrounding development patterns, landscape, and site design.*

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

Staff Comment: *The proposed use for this site is compatible with the area in terms of operating characteristics with regard to hours of operations, visible and audible impacts, traffic patterns, intensity of use as proposed or planned, and other potential impacts on adjacent property. The proposed use, as planned, will have no negative impact on adjacent homes or businesses and includes attractive site design, landscaping, and features that will enhance the surrounding area's character.*

8. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Staff Comment: *The application, if approved, will not prevent development or the use of neighboring property in accordance with applicable development regulations. The proposed use is compatible and in character with surrounding zoning and land use.*

9. The long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

Staff Comment: *The likelihood of long range plans applicable to the site and surrounding area being negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area is low. Although the requested change is not entirely in conformance to the amended Future Land Use Map presented in the Industrial Areas Plan. The parcel subject to this project has been identified as "Light Industrial and Office Park", in which the MP-3 zoning district is not a compatible zoning designation within that land use category. However, staff is supportive of the development request for the following reasons:*

- *The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. With the approval of this request, the proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.*
- *The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.*

It is important to note that the manufactured/mobile home community located directly adjacent to the east and the proposed development are owned by the same entity and has recently been upgraded to include site improvements, landscaping, and community features.

10. The recommendations of professional staff.

Staff Comment: *Staff is recommending approval of the application.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

ELECTRIC

Underground electric lines are currently installed along all property lines and is to be extended into the property to serve the future development. Electric easements have been provided as requested.

SANITARY SEWER

The subject property is within the City of Gardner sanitary sewer service area. Sanitary sewer service will be extended into the property through 8" sanitary sewer lines to serve the future development. Sanitary Sewer easements have been provided as requested.

WATER

Existing water lines are located adjacent to the site and will be extended into the property through 8" water lines to serve the future development. Appropriate easements have been provided as requested.

STORM WATER

A stormwater retention basin was included with the preliminary development plan to address stormwater for the entire development. The function of the retention basin was reviewed by Public Works and determined the size of the retention basin was adequate to capture onsite development runoff.

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

The applicant is planning to extend Park Street (adjacent existing private street with temporary cul-de-sac) west throughout the development to connect with Conestoga Drive (collector street) and will construct five (5) internal private street networks within the subject property, Private Streets B, C, D, E, and F, that extend south and provide individual home site access. The applicant has proposed a 5' sidewalk to be installed on both sides of all internal streets in accordance with the Local – Neighborhood Street requirements. Additionally, it was requested for the applicant to provide sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1

ATTACHMENTS

- I. Preliminary Development Plan
- II. Application
- III. Public Notice and Notice Map

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.

3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Conditional Use Permit – Approval of a conditional use permit by the Governing Body shall authorize the applicant to apply for a building permit, and other applicable permits. Approval shall be valid for two years, and the Governing Body may grant a one-year extension; provided, that approvals for communication facilities for wireless services shall be for a term of not less than 10 years. Any application not acted upon according to the approval and conditions within this time period shall be void. Any amendment to a conditional use permit shall require the same process as the original approval.

RECOMMENDATION

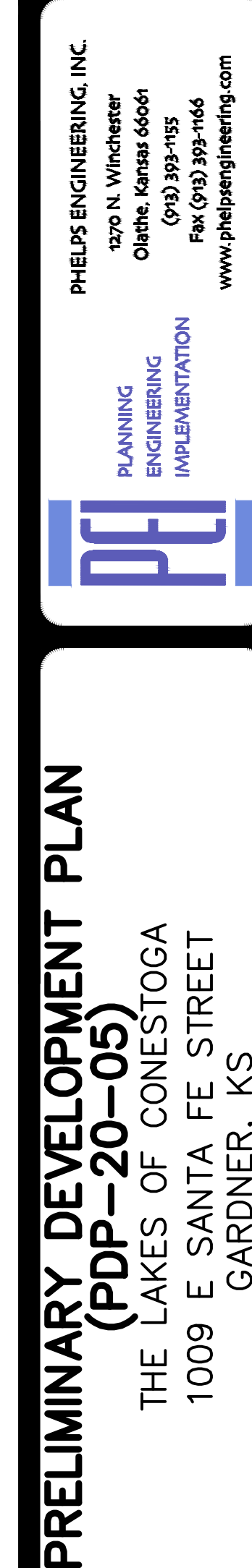
Staff recommends the Planning Commission recommend approval of application CUP-20-02, a request for a conditional use permit for the Lakes of Conestoga, located at the southeast corner of E. Santa Fe Street and Conestoga Drive (Tax ID CF231430-1012), a staff report dated September 22, 2020 and a site plan dated September 11, 2020, to the Governing Body with the following condition:

1. This Conditional Use Permit request shall not be approved prior to the approval of the preliminary development plan and associated rezoning.

Recommended Motion:

After review of application CUP-20-02, a request for a conditional use permit for the Lakes of Conestoga, located at the southeast corner of E. Santa Fe Street and Conestoga Drive (Tax ID CF231430-1012) a staff report dated September 22, 2020 and a site plan dated September 11, 2020, the Planning Commission recommends the Governing Body approve the conditional use permit application with the following condition:

1. This Conditional Use Permit request shall not be approved prior to the approval of the preliminary development plan and associated rezoning.



Open Space Calculations			
Requirement of Open Space	200 Sq. Ft. x 95 Units = 19,000 Sq. Ft./0.44 Ac.		
Requirement of Open Space	15% - 135,320 Sq. Ft./3.17 Ac.		
Open Space Provided	12% - 107,785 Sq. Ft./2.47 Ac.		
* Waiver Requested			
Building and Lot Data	PROPOSED	REQUIRED	CITY ORDINANCE NO.
Site Area (Gross)	20.7 Ac.	15.0 Ac. (Min.)	18.55.040.A
Existing Zoning	R-2, C-3, M-P		
Proposed Zoning	M-P		
Number of Units	95 units		
Density (Units / Acre)	4.6	6.0 (Max.)	18.55.070.B
Average Lot Area per Unit	9,496 SF/Unit	4,000 SF/Unit	18.55.070.B
Exterior Lot Setback	25 feet	25 feet	
Front Setback	25 feet	25 feet	18.30.060.A
Side Setback	20 feet	5 feet	18.30.060.B
Rear Setback	25 feet	25 feet	18.30.060.C
Building Separation	20 feet	20 feet	18.55.070.E
Building Height		35 feet(Max.)	

PROJECT NO.	No.	Date	Revisions:	By	App.
8-7-2020	1.	8-28-2020	CITY COMMENTS ADDRESSED	BAG	DEU
DEU APPROVED	2.	9-11-2020	CITY COMMENTS ADDRESSED	BAG	DEU
CERTIFICATE OF AUTHORIZATION FOR GRADING AND DRAINAGE AND SURVEYING: 2020/0128					

SHEET
C2.0



CONDITIONAL USE PERMIT APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis
Contact _____
Address 17767 S. Lavery Street / 5 Tara Road
City Olathe / St. Joseph State KS / MO Zip 66062 / 64507
Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) Green Courte Acquisition IV, LLC, by Polsinelli PC, its agent
Contact Curtis M. Holland
Address 900 W 48th Place, Suite 900
City Kansas City State MO Zip 64112
Phone 913-234-7411 Email cholland@polsinelli.com

SITE & PROPOSED USE INFORMATION

Property Address/Location 1009 E Santa Fe Street
Legal Description (Attach If Necessary) see attached
Total Site Area 20.7 acres Present Zoning R-2, C-3, M-P
Present Land Use Agriculture Proposed Land Use Mobile Home Park
Will The Use Include New Buildings or Utilize Existing Buildings _____
Proposed Building Type(s) _____
Anticipated daily traffic _____
Hours of operation/Duration of use (if temporary) _____
Anticipated external sensory impacts (such as sound, odor, residue, etc.) _____

SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for conditional use permit as indicated above.

Signature(s): Curtis M. Hollans Date 8/7/2020

Date _____

CONDITIONAL USE PERMIT APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of a full sized site plan printed and folded |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description (Word) |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Sign posting affidavit |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Copies of any other applicable license/permits |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Final Stormwater Management Plan (2 printed and 1 digital copy) |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Final Traffic Impact Study (TIS) as required by the Access Management Code. (2 printed and 1 digital copy) |

SITE PLAN REQUIREMENTS

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Vicinity map to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Boundary lines of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances). |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Scale, legend, and north arrow clearly shown, with orientation at top or left as north (not less than 1"=100' scale). |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Dates of plan preparation and/or plan revisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Ownership, zoning, and land use of the site and surrounding properties within 200 feet; both existing and proposed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Setback lines: building and parking with dimensions in feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Setback lines: building and parking with dimensions in feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Lots and tracts identified clearly , with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Note on the plan indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts. |

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Setback lines: building and parking with dimensions in feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Location of existing open space, alleys, parks, streams, ponds, vegetation or other similar features within plan area, and whether they are to be retained or removed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Existing utilities , including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Proposed street network , including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. All public streets within the plan conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Intersection site distance analysis. |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Driveways, parking lots and stalls, aisles, and loading and service areas and docks and dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Median breaks and turning lanes , including sizes and radii; both existing and proposed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. Vehicle maneuvering/turning templates reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary. |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Existing and proposed sidewalks and/or trail locations including proposed widths. |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Proposed utilities , including approximate location of sanitary sewer, water main, and street lights. |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Existing and proposed easements with dimensions. Existing easements shall be labeled with book and page number. |
| <input type="checkbox"/> | <input type="checkbox"/> | 23. Any area within a federally designated floodplain. Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991). |
| <input type="checkbox"/> | <input type="checkbox"/> | 24. Stream corridor boundary and dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 25. Phasing Plan , if applicable. |
| <input type="checkbox"/> | <input type="checkbox"/> | 26. Planned amenities , such as fountains, art, outdoor seating, waste receptacles, etc. |
| <input type="checkbox"/> | <input type="checkbox"/> | 27. Any buildings within the plan area which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.). |
| <input type="checkbox"/> | <input type="checkbox"/> | 28. Distances between all buildings , between buildings and property lines, and between parking areas and property lines. |

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 29. Existing Topography and Proposed Grading of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering. |
| <input type="checkbox"/> | <input type="checkbox"/> | 30. Building elevations depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations. |
| <input type="checkbox"/> | <input type="checkbox"/> | 31. Screen walls, fences, trash enclosures, and mail kiosks (existing and proposed), including location, height, and materials. |
| <input type="checkbox"/> | <input type="checkbox"/> | 32. Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type. |
| <input type="checkbox"/> | <input type="checkbox"/> | 33. Table indicating required and proposed parking spaces. |
| <input type="checkbox"/> | <input type="checkbox"/> | 34. Landscaping plan and table indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded. |
| <input type="checkbox"/> | <input type="checkbox"/> | 35. All exterior sign locations. Include elevations and details. |
| <input type="checkbox"/> | <input type="checkbox"/> | 36. All outside lighting facilities: Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | 37. Outdoor storage areas, including location, dimensions and design. |
| <input type="checkbox"/> | <input type="checkbox"/> | 38. Planned amenities, such as fountains, art, outdoor seating, waste receptacles, etc. |
| <input type="checkbox"/> | <input type="checkbox"/> | 39. Preliminary design and location of all proposed storm drainage conveyance, detention and treatment facilities and locations of existing drainage facilities. |

I hereby submit all information required for a conditional use permit application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.



Signature of Applicant

8/7/2020

Date



BUSINESS & ECONOMIC DEVELOPMENT

September 2, 2020

Dear Property Owner:

The Gardner Planning Commission will hold their regular meeting on **Tuesday, September 22, 2020, beginning at 7:00 p.m.**, in the Council Chambers at Gardner City Hall, 120 E. Main Street. The following items may be of interest to you:

CUP-20-02: Proposed conditional use permit for a Manufactured/Mobile Home Community on approximately 20 acres, located at the southeast corner of E. Santa Fe Street and Conestoga Drive in Gardner. (Tax ID CF231430-1012); and

Z-20-08 (PDP-20-05): Proposed rezoning of approximately 20 acres from R-2 (Two-Family Residential District), M-P (Mobile Home Park District), and C-3 (Commercial District) to M-P (Mobile Home Park District) and associated Preliminary Development Plan for the Lakes of Conestoga, a 96 unit Manufactured/Mobile Home Community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive in Gardner. (Tax ID CF231430-1012).

Conditional Use Permit and Rezoning requests are considered public hearing items and the public will be given the opportunity to make oral comments on such requests at the meeting. Written comments are welcomed and encouraged.

A complete legal description for this property is available at the City of Gardner Business & Economic Development Department at Gardner City Hall, 120 E. Main Street, Monday - Friday from 8:00 a.m. - 5:00 p.m. If you have questions relating to this matter, please contact me at 405-630-5217.

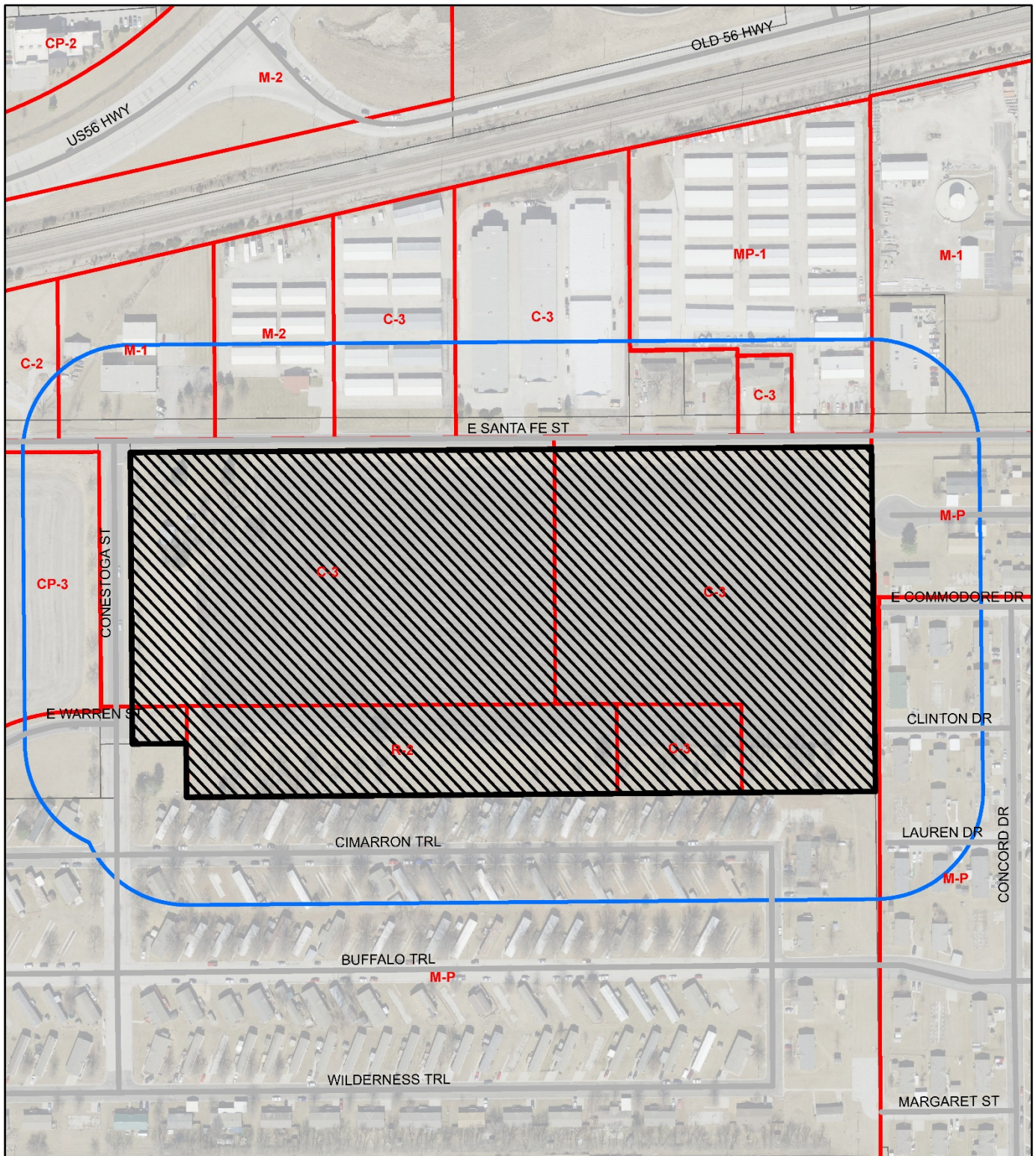
After the Planning Commission makes a recommendation, property owners within 200' of the subject area, 1000' in the county, may submit a protest petition against such recommendation. The protest petition must be filed with the City Clerk, within 14 days of the conclusion of the public hearing. For more information contact the Business & Economic Development Department.

PLEASE NOTE: If you have recently transferred ownership of your property in the area of this request, or if such property is under a contract purchase agreement, we ask you to please forward this letter to the new owner or the contract purchaser.

Sincerely,

Laura Bergey, AICP
Planner

Enclosure



N



Gardner Planning Commission

CUP-20-02: Conditional Use Permit for a Manufactured/Mobile Home Community

Z-20-08: Rezoning from R-2, M-P, and C-3 to M-P for Lakes of Conestoga

Meeting Date: September 22, 2020

-  Subject Property
-  200' Buffer
-  Zoning

PLANNING COMMISSION STAFF REPORT
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: LAURA BERGEY, AICP

NEW BUSINESS ITEM No. 1

PROJECT NUMBER / TITLE: Z-20-08 Rezoning, PDP-20-05 Preliminary Development Plan for Lakes of Conestoga

PROCESS INFORMATION

Type of Request: Zoning Map Amendment and Preliminary Development Plan

Date Received: August 7, 2020

APPLICATION INFORMATION

Applicant: Curtis Holland

Owner: Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis

Parcel ID: CF231430-1012

Location: The southeast corner of E. Santa Fe Street and Conestoga Drive.

REQUESTED ACTION

Hold a public hearing on and consider a request to rezone 20 acres from R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts to M-P (Mobile Home Park) District; and consider approval of the associated Preliminary Development Plan for The Lakes of Conestoga, a 95 unit manufactured/mobile home community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive.

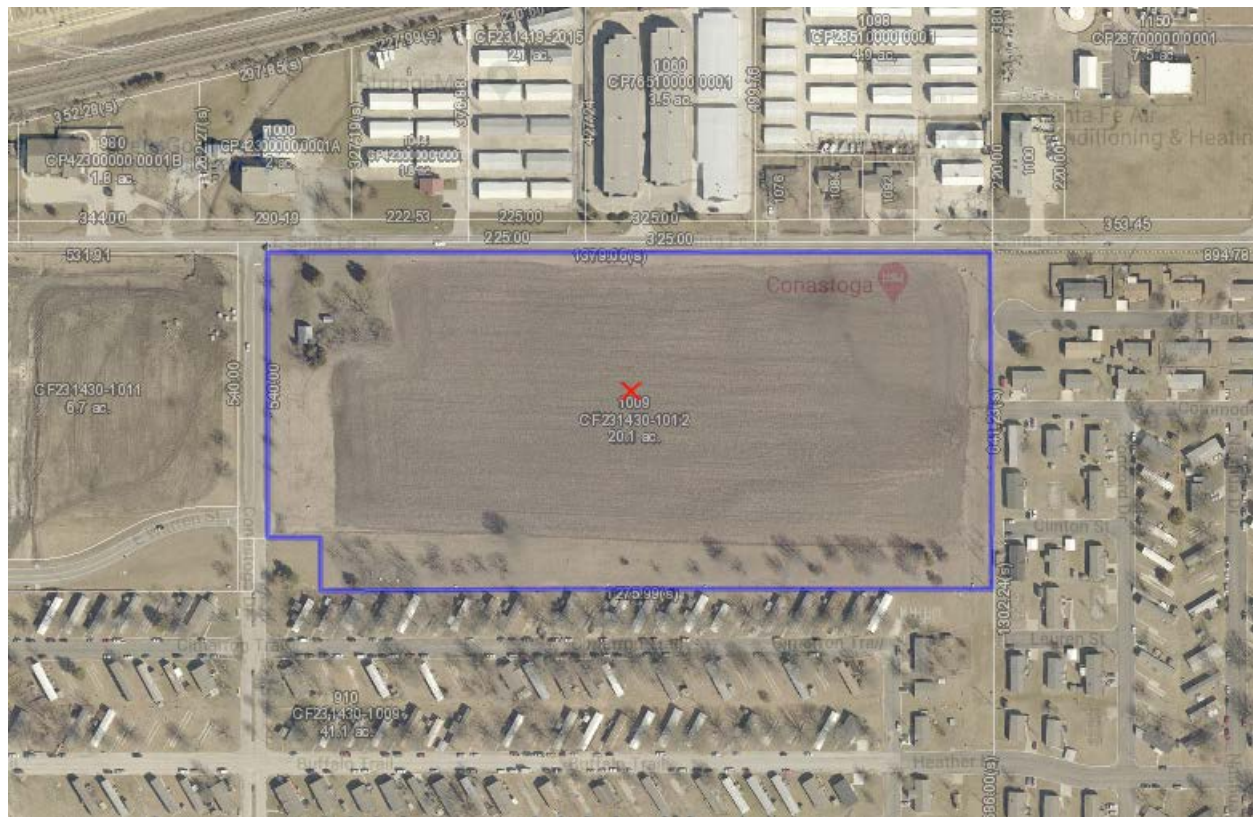
EXISTING ZONING AND LAND USE

The site is currently zoned R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
M-1 (Restricted Industrial) District	Pet Supply Store (Pets Go Here)
M-2 (General Industrial) District	Outdoor Self Storage (StorageMart)
C-3 (Heavy Commercial) District	Outdoor Self Storage (StorageMart and Attic Storage of Gardner) Single-Family Residential (3 unplatted homes)
MP-1 (Planned Restricted Industrial) District	Outdoor Self Storage (Gardner Auto Body & Towing and Outback Storage)
East of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
South of subject property	

M-P (Mobile Home Park) District	Mobile Home Park
West of subject property	
CP-3 (Planned Commercial) District	Undeveloped land
R-2 (Two-Family Residential) District	Undeveloped land



EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. All utilities are available to this site and will be serviced by the City of Gardner. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.

BACKGROUND / HISTORY

The property was annexed on March 6, 1978 per Ordinance 1337. Currently, the property is not in use. At the time the property was annexed into the City, the property was zoned for retail business uses in 1971 and 1973, and a mobile home park in 1973 by the Gardner Township Zoning Board as part of Johnson County Government. In approximately 1982, a portion of the property was rezoned to R-2 (Two-Family Residential district) but was not developed and has remained undeveloped since.

The current zoning pattern of the site shows a majority of the property is zoned C-3 (Heavy Commercial District), with a small portion of the property near the Conestoga Drive/Warren Street intersection zoned R-2 (Two-Family Residential District) and R-M (Residential Manufactured and Mobile Home Planned District).

CONSISTENCY WITH COMPREHENSIVE PLAN

The *Future Land Use Map* in the *City of Gardner 2014 Comprehensive Plan* identifies this parcel for “Light Industrial & Office Park” future land use, which is described as areas with uses primarily consisting of light manufacturing, general office, and distribution. The Industrial Areas Plan, located in the Land Use and Development chapter of the Comprehensive Plan, further defines this parcel as “Local Industrial,” which is defined as “smaller pockets of manufacturing and light industrial operations that have a close relationship to adjacent residential or commercial areas and require unique strategies to ensure that they remain vital, and do not negatively impact nearby uses.” Although the requested change is not entirely in conformance to the amended Future Land Use Map presented in the Industrial Areas Plan. The parcel subject to this project has been identified as “Local Industrial”, in which the MP-3 zoning district is not a compatible zoning designation within that land use category. However, staff is supportive of the development request for the following reasons:

- The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. With the approval of this request, the proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.
- The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.

Although the proposed zoning district is not consistent with the “Light Industrial & Office Park” future land use designation, this planned development meets other Comprehensive Plan goals, and is supported by data in other plans, as follows:

- One of the core themes of the Comprehensive Plan is Housing Variety to support on-going investment in housing and attract new residents. The Housing Variety goal is intended to ensure that the housing stock responds to a variety of users, including young professionals, new families, empty-nesters and seniors in need of assistance. Providing a range of options allows support for all income levels to move toward home ownership. Specifically the housing objectives that are addressed by this development include:
 - a. Establish land use and development controls that promote high quality residential buildings and encourage construction of single-family housing options for families that want to move up, but stay in the community;
 - b. Ensure existing residential areas are well-protected from commercial and industrial land uses through the use of buffers and screening;
 - c. Ensure new residential developments are sited within close proximity and access to schools and parks.

STAFF ANALYSIS – ZONING MAP AMENDMENT

This section highlights contents of the application which may merit particular consideration in regard to zoning intent and standards. A full analysis of applicable zoning regulations is available upon request.

This application is for a planned zoning district and includes a rezoning with associated preliminary development plan. A preliminary plat (PP-20-11) and conditional use permit (CUP-20-02) applications have also been submitted. The planned development process is intended for development concepts that require a higher degree of specific planning based on the complexity of the project, the relationship of the site to the context, and the ability to meet or exceed the purpose, intent and objectives of this Code through more flexible application of the standards. A planned development application is a type of zoning map amendment, and must meet all of the procedures and requirements of that process, but it also accommodates specific master development plan. Following are the review criteria for the rezoning application and also the preliminary development plan.

17.03.030 (B) Review Criteria:

1. The character of the neighborhood, including the design of streets, civic spaces and other open spaces; the scale, pattern and design of buildings; and the operation and uses of land and buildings;

Staff Comment: *The area is currently consists of a mix of industrial type uses to the north, mobile home communities in a traditional suburban pattern to the east and south, and commercial type uses to the west. The applicant has proposed a project intensity that is less dense than what is allowed by the code to provide residents with larger lots and more space around their homes. While this is not the case in the adjacent manufactured/mobile home communities to the east and south, the added open space between homes provide residents with a greater feeling of openness around their homes and neighborhood than most manufactured/mobile home communities. Additionally, shared outdoor and civic amenities such as a walking trail surrounding the wet pond feature, pavilion area with outdoor grill-area, shelter and picnic facilities, dog parks, and pockets of green space are provided for the enjoyment of residents. Based on this and a review of surrounding uses and development patterns, the proposed development enhances the surrounding area's character.*

2. The zoning and use of properties nearby, and the compatibility with potential uses in the proposed district with these zoning districts;

Staff Comment: *The development proposes to utilize similar zoning districts as the properties to the east and south and is compatible in use to these zoning districts and surrounding area.*

3. The suitability of the subject property for the uses to which it has been restricted;

Staff Comment: *The subject property is suitable for the proposed zoning, RM-P – Residential Manufactured and Mobile Home Planned District. The proposed use is allowed only through the approval of a Conditional Use Permit in this zoning category. An associated Conditional use Permit (CUP-20-02) has been submitted, reviewed, and will be considered at this scheduled Public Hearing.*

4. The extent to which removal of the restrictions will detrimentally affect nearby property;

Staff Comment: *Removal of these restrictions could potentially have an impact on nearby property, by allowing uses not permitted in the RM-P district which are not compatible with the directly adjacent neighboring manufactured residential development, such as*

Vehicle/Equipment Service and Repair shops which can include a large mechanic shop with outdoor and overnight storage. The Land Development Code has established setbacks and buffer requirements to help reduce the impacts of commercial zoning and uses from adjacent residentially zoned properties and while similar uses are located to the north of the subject property, across E Santa Fe Street, allowing this type of intensity adjacent to a residential development would negatively impact the health, safety, and welfare of existing neighboring residents.

Should the applicant decline to move forward with the plan if approved, the planned zoning district designation would require a revision of the preliminary development plan and is subject to a public hearing at the Planning Commission.

5. The length of time the subject property has remained vacant as zoned;

Staff Comment: *The subject property has remained vacant since it was annexed into the City in 1978 and since it was rezoned to its present zoning.*

6. The relative gain to economic development, public health, safety and welfare by the current restrictions on the applicant's property as compared to the hardship imposed by such restrictions upon the property;

Staff Comment: *The relative gain to economic development, public health, safety and welfare by the current restrictions on the applicant's property as compared to the hardship imposed by such restrictions is considerable to the community. As previously mentioned, by allowing uses not permitted in the RM-P district which are not compatible with the directly adjacent neighboring manufactured residential development the health, safety, and welfare of existing neighboring residents would be negatively impacted.*

7. The recommendations of professional staff;

Staff Comment: *Staff is recommending approval of the rezoning, as the RM-P zoning district, and associated preliminary development plan provides greater assurance that the property will be developed in a way that is compatible with adjacent property, while providing decent, affordable housing options and associated amenities to the community.*

8. The conformance of the requested change to the Comprehensive Plan, and in particular the relationship of the intent statement for the proposed district and how the specific application furthers that intent statement in relation to the Comprehensive Plan;

Staff Comment: *The requested change is not entirely in conformance to the amended Future Land Use Map presented in the Industrial Areas Plan. The parcel subject to this project has been identified as "Local Industrial", in which the MP-3 zoning district is not a compatible zoning designation within that land use category. However, staff is supportive of the rezoning request for the following reasons:*

- *The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. With the approval of this request, the proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.*
 - *The development, as proposed, will provide affordable and attainable workforce housing options for the people residing and working in the City of Gardner.*
9. The extent to which the proposed use would adversely affect the capacity or safety of any utilities, infrastructure or public services serving the vicinity; and

Staff Comment: *The proposed use would not have an adverse effect on the capacity or safety of any utilities, infrastructure, or public services serving the development and vicinity.*

10. Other factors relevant to a particular proposed amendment or other factors which support other adopted policies of the City.

Staff Comment: *Approval of the application would benefit the community by providing affordable and attainable housing options in a well-planned and designed development for the people residing and working in the City of Gardner.*

STAFF ANALYSIS – PRELIMINARY DEVELOPMENT PLAN

This application is for a planned zoning district. Departures from the standards associated with all zoning districts may be considered through planned zoning, and approved provided they are based upon a comprehensive and well-integrated development plan for the area. These departures shall not be justified for simply wanting flexibility or deviations from standards based upon a site plan. The development standards for this planned development are those required of the *RM-P – Residential Manufactured and Mobile Home Planned District*. Departures from standards may specifically propose standards that differ from this Code (such as performance standards, building types, frontage types, site design and landscape, parking quantity and design). Following the review criteria, the proposed deviations are presented, including applicant and staff comment, for Planning Commission consideration.

17.03.040 (C) Review Criteria:

1. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the goals of the Comprehensive Plan, and based upon generally accepted planning and design practice.

Staff Comment: *Staff finds the plan represents an improvement over what could have been accomplished through the strict application of otherwise applicable base zoning district standards, based on the goals of the Comprehensive Plan, and based upon generally accepted planning and design practices for the following reasons:*

- *The intent of the RM-P district is to provide smaller format manufactured and mobile homes within a planned development that includes common amenities in a neighborhood or community setting that is compatible with the surrounding community. The proposed development is compatible and compatible to surrounding zoning and land use and provides amenities that enhances the quality of life of existing and future residents.*
 - *By promoting affordable and attainable housing options focused in portions of the community where infrastructure and compatible uses already exist to support those residing and working in the City of Gardner.*
 - *By promoting planned manufactured residential developments that demonstrate exceptional community design and layout for the common areas within the community and integration and relation of the project to surrounding areas.*
2. The benefits from any flexibility in the standards proposed in the plan promote the general public health, safety and welfare of the community, and in particular of the areas immediately near or within the proposed project, and are not strictly to benefit the applicant.

Staff Comment: *The benefits from any flexibility in the standards proposed in the plan promote the general public health, safety and welfare of the community, and in particular of the areas immediately near or within the proposed project.*

3. The benefits from any flexibility in the standards proposed in the plan allow the project to better meet or exceed the intent statements of the base zoning district(s) and the standards proposed to be modified when applied to the specific project or site.

Staff Comment: *The flexibility in the standards proposed in the plan allow the project to better meet or exceed the intent of the underlying zoning district and the standards proposed to be modified when applied to this project. Most of the departures requested by the applicant support the unique design and use of the development.*

4. The plan reflects generally accepted and sound planning and urban design principles with respect to applying the Comprehensive Plan and any specific plans to the area.

Staff Comment: *The proposed plan generally reflects generally accepted and sound planning and urban design principles with respect to applying the Comprehensive Plan and any specific plans to the area, by utilizing undeveloped land to provide affordable workforce housing for the community.*

5. The plan meets all of the review criteria for a zoning map amendment.

Staff Comment: *It is staff's opinion the plan meets all of the review criteria for a zoning map amendment.*

DEVIATION REQUESTS

In connection with the development of this project, the Applicant is requesting three (3) deviations from the City of Gardner Land Development Code. They are as follows:

1. **Chapter 17.04 SUBDIVISION STANDARDS, Section 17.04.020 Open and Civic Space Systems, D. Required Open Space**

Standard: For a RM-P Zoning District – 15% required open space

Proposed: 12% open space

Applicant Comment: Applicant determined it was better to provide the residents with more open areas around their home sites, than squeezing the home sites together simply to meet an arbitrary number in the City's code. The added green spaces between the home sites makes the home-site area average (9,496 s.f.) twice the size of the code minimum requirement (4,000 s.f.) which means approximately 50% of the Property is open space. While these additional green areas do not count as *open space* under the City's code, they do provide the residents with a greater feeling of openness around their home sites than in most MH communities. The code provided open space is an active area that includes a large retention pond surrounded by a walking trail for exercise, a pavilion area that includes an outdoor grill area, shelter and picnic facilities, multiple dog parks, and pockets of dedicated green areas throughout the community for the enjoyment of the residents. Applicant believes the development is a well-planned community, and meets the spirit and intent of the code's open space requirements.

Staff Comment: While the proposed development only provides for 12% of the 15% open space requirement, the applicant has provided additional shared civic space amenities, discussed above, and more space between dwellings and throughout the community, for

residents to gather and spend time in, that not only increase their quality of life, but encourage social capital and comradery among neighbors.

2. Chapter 17.04 SUBDIVISION STANDARDS, Section 17.04.020 Open and Civic Space Systems, Table 4-5: Open and Civic Space Types and Context

Standard: Open and civic space systems shall be designed to reinforce the character of the area and anticipated development patterns, uses and project designs. Table 4-5 indicates the types of open spaces that are eligible for each particular area based on context. Standards and specifications for each open space type are provided in subsection (F) of this section.

Proposed: The proposed open and civic space system is not in accordance with any design type of Table 4-5: Open and Civic Space Types and Context, or corresponding specifications of subsection (E) Location Criteria and subsection (F) Design Standards of this section.

Applicant Comment: Applicant respectfully disagrees with this comment and believes the designed open space areas meet the requirements for *open space* under Section 17.04.020. The primary open space provided includes an active area wet pond with a water feature surrounded by walking trails and a picnic area and shelter. Retention pond areas have previously been acceptable as *open space* in other city projects. There are also pockets of green spaces provided in the community and in between all of the home sites where the community can congregate and children can play. Additionally, Applicant has added some programming such as dog parks, benches, and additional sidewalks to enhance these open spaces. These facilities meet the intent of integrating open space into the “public realm” (Section 17.04.020.A.2.); serves to “support development, including ecological, recreation, aesthetic ... design functions” (Section 17.04.020.A.5.); creating “focal points for the ... neighborhood” (Section 17.04.020.A.6.); and integrating “natural systems into the design of common ... spaces.” (Section 17.04.020.A.7.). Applicant believes the development is a well-planned community, and meets the spirit and intent of the code’s location and design standards for open space.

Staff Comment: Like previously discussed, while the layout of the site’s required open space is not designed in accordance to the requirements and specifications of the LDC, the applicant has provided additional shared civic space amenities, discussed above, and more space between dwellings and throughout the community, for residents to gather and spend time in, that not only increase their quality of life, but encourage social capital and comradery among neighbors.

3. Chapter 17.06 SPECIAL DISTRICTS, Section 17.06.020 RM-P – Residential Manufactured and Mobile Home Planned District, C. Development Standards, (3.b.4) Home Sites.

Standard: All dwellings shall be at least 50 feet from any public street or other boundary of the community with adjacent property.

Proposed: The Applicant meets this requirement along E Santa Fe Street, but does not meet the 50’ setback requirement along Conestoga Drive, or along the southern and eastern property lines.

Applicant Comment: Because the project is a single platted lot, the area adjacent to Conestoga Drive is technically located in the street side corner of the lot and meets the 15' setback requirement under the code. Notwithstanding this discrepancy, Applicant is requesting a reduced building setback of 15' along Conestoga Drive to the extent Staff still believes it is necessary. Berms and enhanced landscaping are being provided to offset this reduction. Applicant believes the development is a well-planned community, and meets the spirit and intent of the code's setback from public streets requirement.

Staff Comment: While the applicant has not met buffering and setback requirements along public streets or other boundaries of the community with adjacent property, additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses, including additional landscaping, street trees, shrubbery, as well as sloped berms and attractive fencing along the property line.

PUBLIC COMMENTS

At the time of this writing, Staff has received no public comments opposing this request. An update will be provided at the Public Hearing should this change.

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

ELECTRIC

Underground electric lines are currently installed along all property lines and are to be extended into the property to serve the future development. Electric easements have been provided as requested.

SANITARY SEWER

The subject property is within the City of Gardner sanitary sewer service area. Sanitary sewer service will be extended into the property through 8" sanitary sewer lines to serve the future development. Sanitary Sewer easements have been provided as requested.

WATER

Existing water lines are located adjacent to the site and will be extended into the property through 8" water lines to serve the future development. Appropriate easements have been provided as requested.

STORM WATER

Public Works has reviewed and provided comments on the submitted Stormwater Management Plan, in which the Applicant has addressed and revised information as necessary. A stormwater retention pond has been integrated into this project to capture the development's onsite runoff. The Applicant has also provided a drawing showing what area would be needed to do a minimal dry detention basin, instead of the wet retention they are proposing, attached as an exhibit below. The applicant has increased the size of the basin in order to be able to have a larger wet feature designed to be an amenity for the entire neighborhood.

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

The applicant is planning to extend Park Street (adjacent existing private street with temporary cul-de-sac) west throughout the development to connect with Conestoga Drive (collector street) and will construct five (5) internal private street networks within the subject property, Private

Streets B, C, D, E, and F, that extend south and provide individual home site access. It is important to note that these internal private streets do not connect to adjacent street networks, and are dead-end streets with hammerhead style turnarounds. Fire expressed concern for this type of turnaround, stating that hammerhead turnarounds typically become parked vehicle collection points and would want to see fire lane markings and enforcement from the ownership/property managers to ensure these turnarounds are always available for use. The applicant has acknowledged this concerns and has shown fire lane striping on the plan. Additionally, Public Works has requested an additional right-of-way dedication in the northwest corner of the site to facilitate a future through movement of the Santa Fe – Conestoga Drive – Warren Street connection, where curves will replace the current intersections at Santa Fe/Conestoga and Warren/Conestoga. The attached exhibit reflects two different radii with 30 foot offsets to show the right-of-way limits. The pink centerline radius is 375 feet for 35 mph and the red centerline radius is 250 feet for 30 mph. The applicant has addressed this future requirement and has dedicated additional right-of-way on the plan to allow for future improvements at the intersection. The right of way granted will allow for a curve with a 200' radius at the roadway centerline.

The Local – Neighborhood Street requires a 5' sidewalk on both sides of all streets while maintaining a 6' planting bed between the curb and sidewalk for street trees. These requirements are met and the applicant has proposed a 5' sidewalks to be installed on both sides of all internal streets. Additionally, it was requested for the applicant to provide sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1

ATTACHMENTS

- I. Zoning Exhibit
- II. Preliminary Development Plan PDP-20-05
- III. Stormwater minimum area graphic
- IV. Right-of-way Radii graphic
- V. Application
- VI. Zoning and Notice Map

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Zoning Map Amendment (Rezoning) – Amendments to the official zoning map (rezoning) shall be approved by the Governing Body in the form of an ordinance. Approved changes shall be indicated on the official zoning map by the Director within 30 days following such action.

Preliminary Development Plan – Approval of a preliminary development plan shall constitute acceptance of the overall planning concepts and development parameters. In reviewing and approving a preliminary development plan, the Planning Commission may recommend or the Governing Body may require conditions that must be met before an applicant submits a final development plan. An approved preliminary development plan shall lapse and be of no further force and effect if a final development plan (or a final development plan for a designated phase of the preliminary development plan) has not been approved within two years of the date of approval of the preliminary development plan.

RECOMMENDATION

Staff recommends approval of the rezoning and associated preliminary development plan with the conditions outlined below. Please note that if the condition reads “Potential deviation”, the Planning Commission has been directed to discuss the potential deviation request. If, after discussion, the Planning Commission does not support the deviation as proposed by the applicant, then the Planning Commission would format some kind of condition of approval related to that deviation, either that the application must meet the code standard or some other amended deviation.

1. Potential conditions regarding Deviation #1, #2, and #3.

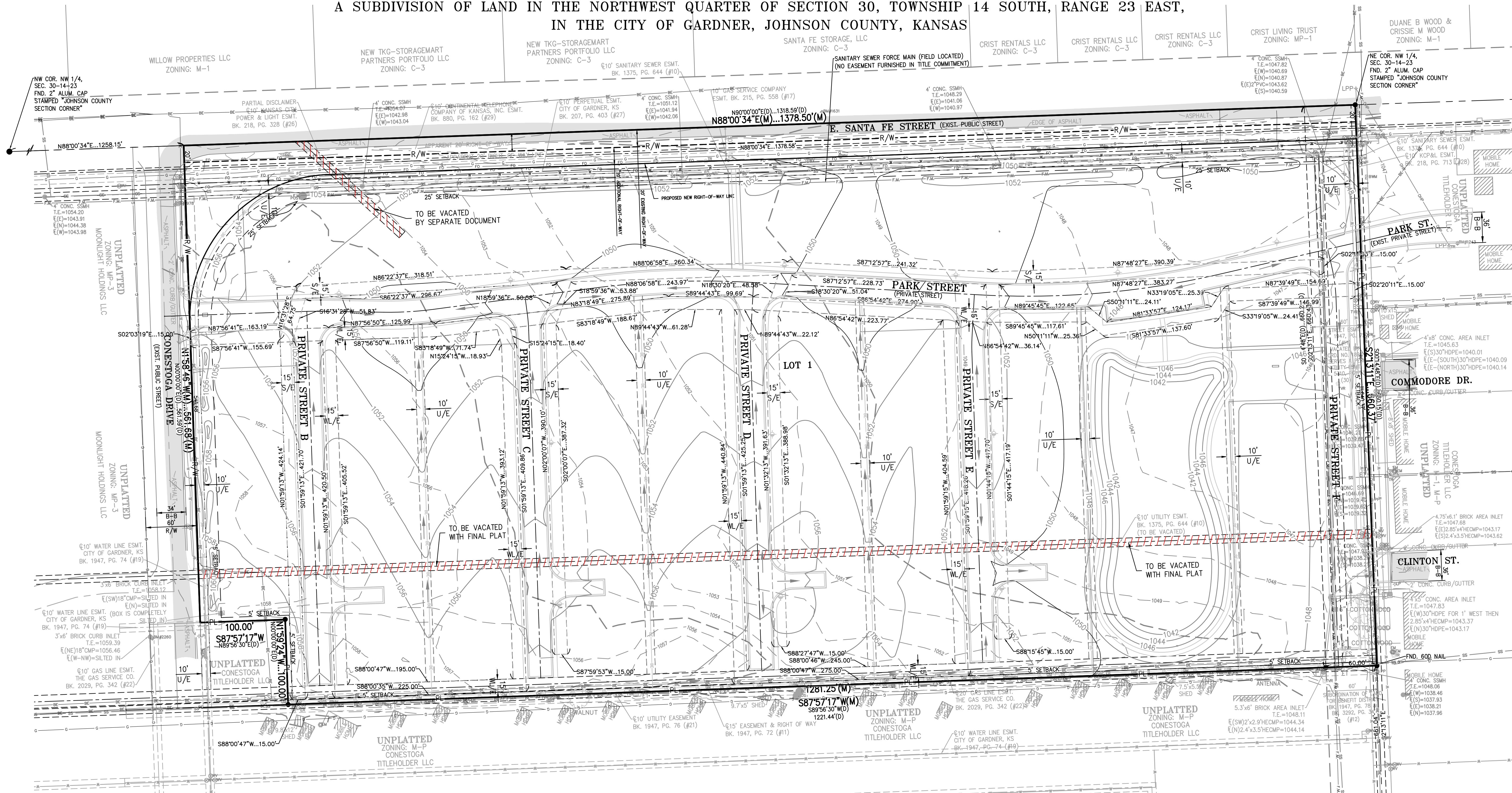
Recommended Motion:

After review of Applications Z-20-08 and PDP-20-05, a rezoning of approximately 20 acres from R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts to M-P (Mobile Home Park) District and associated preliminary development plan for The Lakes of Conestoga, a 95 unit manufactured/mobile home community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive (Tax ID CF231430-1012) dated September 11, 2020, and staff report dated September 22, 2020, the Planning Commission recommends the Governing Body approve the applications subject to the following conditions:

2. Potential conditions regarding Deviation #1, #2, and #3.

THE LAKES OF CONESTOGA

A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 23 EAST,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



OWNER/DEVELOPER:

GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

CIVIL ENGINEER:

PHelps ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

EXISTING ZONING

THIS PROPERTY IS ZONED R-2 (TWO FAMILY RESIDENTIAL DISTRICT), RM-P (MANUFACTURED AND MOBILE HOME PLANNED DISTRICT), CP-3 (HEAVY COMMERCIAL PLANNED DISTRICT) PER THE PLANNING & ZONING RESOURCE COMPANY ZONING AND SITE REQUIREMENTS SUMMARY FOR CONESTOGA EXPANSION AT 1009 EAST SANTA FE STREET GARDNER, KANSAS PREPARED FOR GREEN COURTE ACQUISITION IV, LLC AND DATED 06/29/2020 REVISED 07/31/2020 PZR SITE NUMBER 138851-1.

PROPOSED ZONING

M-P (MOBILE HOME PARK RESIDENTIAL DISTRICT)

DENSITY

A. BUILDING DENSITY FORMULA:
B. APPROXIMATE BUILDING FOOTPRINT:

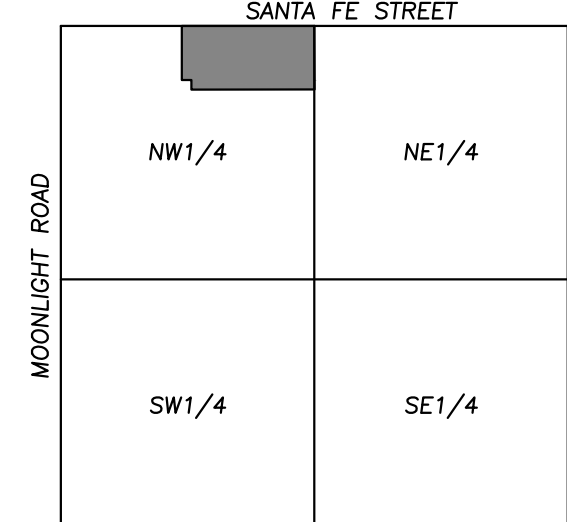
NOT RESTRICTED.
NOT APPLICABLE, AS VACANT LAND.

4. PARKING
A. PARKING SPACE FORMULA:
B. PARKING SPACES REQUIRED:
C. EXISTING PARKING SPACES:

MOBILE HOMES: 2 SPACES PER MOBILE HOME.
SEE ABOVE.
TOTAL PARKING SPACES

LEGEND

- DENOTES SET 1/2"x24" REBAR W/PHelps CORP.
- S-82 PLASTIC CAP IN CONCRETE
- DENOTES FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)
- U/E DENOTES UTILITY EASEMENT
- S/E DENOTES SANITARY SEWER EASEMENT
- W/E DENOTES WATERLINE EASEMENT
- B.L. DENOTES BUILDING LINE
- (D) DENOTES DEED
- (M) DENOTES MEASURED
- ✚ STREET LIGHT



VICINITY MAP
SEC. 30-14-23

NOTES:

1. ALL PRIVATE STREETS DESIGNED TO CRITERIA FOR LOCAL-NEIGHBORHOOD.

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

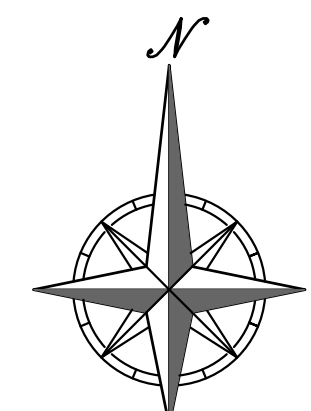
Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°31'1" E (S 01°48'48" E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17" W (S 89°56'30" W deeded), a distance of 1281.25 feet; thence N 1°59'24" W (N 0°00'00" E deeded), a distance of 100.00 feet; thence S 87°57'17" W (N 89°56'30" E deeded), a distance of 100.00 feet; thence N 1°58'46" W (N 0°00'00" E deeded), a distance of 561.68 feet (561.59 feet deeded) to a point on the North line of the Northwest Quarter of said Section 30; thence N 88°00'34" E (N 90°00'00" E deeded), along the North line of the Northwest Quarter of said Section 30, a distance of 1378.50 feet to the point of beginning, containing 20.7102 acres, more or less, unplatted land, subject to that part in streets and roads.

GROSS AREA = ±20.7102 ACRES / ±902,136 SQ.FT.
NET AREA = ±20.0772 ACRES / ±874,563 SQ.FT.

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 2009IC0212G, AND DATED AUGUST 3, 2009.

LOT AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
LOT 1	840792.52	19.3019



SCALE: 1"=60'
0' 60' 120'

BUILDING SET-BACK LINES

A. EXTERIOR LOT LINES: 25 FEET

MOBILE HOME SITE SETBACKS:

B. FRONT:

25 FEET OR 0 FEET FOR SITES FRONTING ON COURTYARDS OR OTHER CIVIC SPACE OF COMMON AREA

C. SIDE:

5 FEET, OR 15 FEET ON STREET SIDE CORNER LOTS.

D. REAR:

25 FEET, OR 10 FEET BACKING TO BUFFERS, COMMON OPEN SPACE OR ALLEYS.

E. BUILDING SEPARATION:

20 FEET OR 30 FEET BETWEEN THE DWELLING AND ACCESSORY BUILDING, EXCEPT SHEDS OR ACCESSORY STRUCTURES SERVING THE HOME SITES.

BUILDING SIZE

A. MAXIMUM BUILDING HEIGHT OR STORIES: 35 FEET

B. EXISTING BUILDING HEIGHT OR STORIES:

NOT APPLICABLE, AS VACANT LAND.

C. BUILDING SITE AREA REQUIREMENTS:

MINIMUM PROJECT AREA: 15 ACRES
MINIMUM LOT FRONTAGE: 300 FEET
MINIMUM LOT AREA PER DWELLING UNIT: 4,000 SQUARE FEET (80 X 4,000) = 320,000 SQUARE FEET
MINIMUM MOBILE HOME SITE AREA 2,000 SQUARE FEET
MINIMUM OPEN AND CIVIC SPACE: 200 SQUARE FEET PER DWELLING OR 15% OF THE COMMUNITY, WHICHEVER IS GREATER. (80 X 200) = 16,000 SQUARE FEET (874,249 X 0.15) = 131,137 SQUARE FEET

PHelps ENGINEERING, INC.

PLANNING
ENGINEERING
IMPLEMENTATION



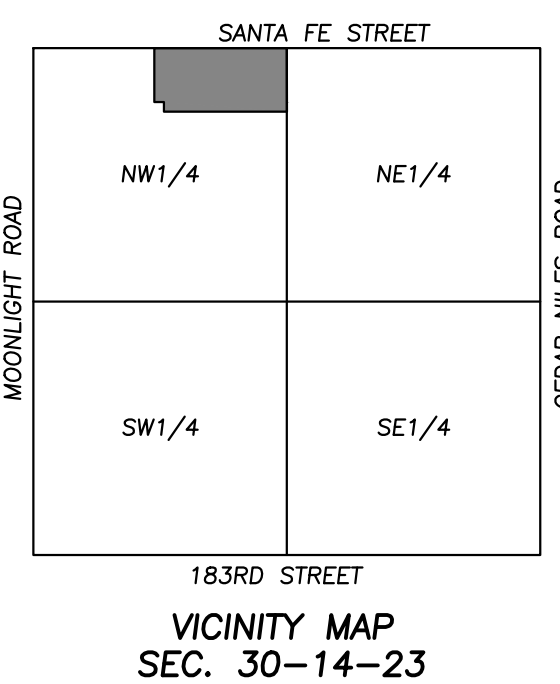
PRELIMINARY PLAT (PP-20-11)

THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

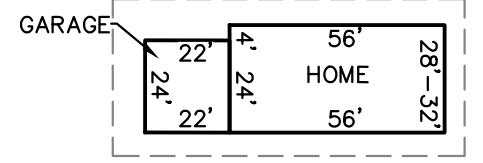
PROJECT NO.	DATE	BY	APP.	REVISIONS	DATE	NO.	DESCRIPTION
200536	8-28-2020	BRANDEJ	DEU	1.	8-28-2020	1.	DATE: 8-28-2020
200536	9-11-2020	BRANDEJ	DEU	2.	9-11-2020	2.	CITY COMMENTS ADDRESSED
CERTIFICATE OF AUTHORIZATION I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Kansas, do hereby certify that the above is a true and correct copy of the original as filed in my office.							
J. CLAUSSON, P.E. LICENSE NO. 1037.96							

SHEET

C1.0



SCALE: 1"=2000'



LEGEND	
PL	PROPERTY LINE
LL	LOT LINE
R/W	RIGHT-OF-WAY
ASPHALT PAVEMENT	
CONCRETE SIDEWALK	
ASPHALT TO BE REMOVED	
NO PARKING/FIRE LANE STRIPING	
FIRE LANE SIGN	
STREET LIGHT	
EXAMPLE TWIN FOOTPRINT	
6" WROUGHT IRON FENCE	
20' SIGHT TRIANGLE	

OWNER/DEVELOPER:
GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

CIVIL ENGINEER:
PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

FLOOD NOTE:
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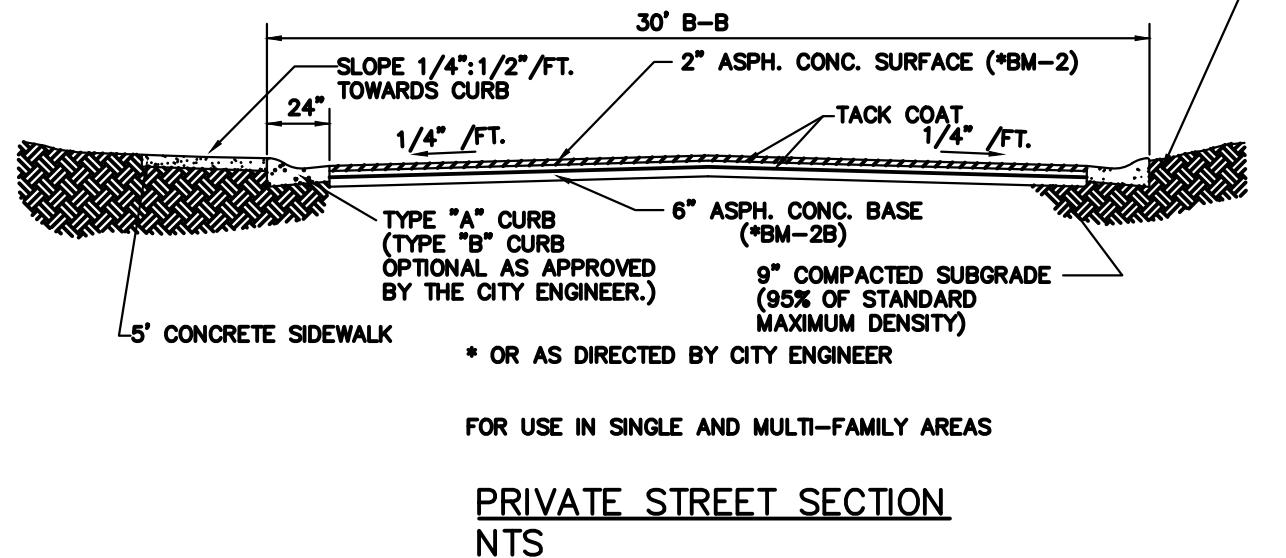
LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°11' E (S 014°48' E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17" W (S 89°56'30" W deeded), a distance of 1281.25 feet; thence N 1°59'24" W (N 00°00'00" E deeded), a distance of 100.00 feet; thence S 87°57'17" W (N 89°56'30" E deeded), a distance of 100.00 feet; thence N 1°58'46" W (N 00°00'00" E deeded), a distance of 561.68 feet (561.59 feet deeded) to a point on the North line of the Northwest Quarter of said Section 30; thence N 89°00'34" E (N 90°00'00" E deeded), along the North line of the Northwest Quarter of said Section 30, a distance of 1378.50 feet to the point of beginning, containing 20.7102 acres, more or less, unplatted land, subject to that part in streets and roads.

GROSS AREA = ±20.7102 ACRES / ±902,136 SQ.FT.
NET AREA = ±20.0772 ACRES / ±874,563 SQ.FT.

- NOTES:
1. ALL PRIVATE STREETS DESIGNED TO CRITERIA FOR LOCAL-NEIGHBORHOOD.
 2. ALL STREET AND SITE MAINTENANCE FOR LOT 1, TO BE PROVIDED BY OWNER.



Parking Summary

Mobile Homes	
Driveway Parking Provided (2 per Unit)	190 Spaces
Surface Parking Provided	12 Spaces
Garage Parking Provided (50%)	100 Spaces
Total Parking Provided	302 Spaces
Number of Parking Spaces per Unit Provided	3.18
Handicap Parking Spaces Provided	1 Spaces
Total Parking Required	190 Spaces
Number of Parking Spaces per Unit Required	2.00
Handicap Parking Spaces Required	1 Spaces

Open Space Calculations

Requirement of Open Space	200 Sq. Ft. x 95 Units = 19,000 Sq. Ft./0.44 Ac.
Requirement of Open Space	15% = 13,320 Sq. Ft./3.11 Ac.*
Open Space Provided	12% = 107,785 Sq. Ft./2.47 Ac.

Building and Lot Data

PROPOSED		REQUIRED		CITY ORDINANCE NO.	
Site Area (Gross)	20.7 Ac.	15.0 Ac. (Min.)		18.55,040.A	
Existing Zoning	R-2, C-3, M-P				
Proposed Zoning	M-P				
Number of Units	95 units				
Density (Units / Acre)	4.6	6.0 (Max.)		18.55,070.B	
Average Lot Area per Unit	9,496 SF/Unit	4,000 SF/Unit		18.55,070.B	
Exterior Lot Setback	25 feet	25 feet		18.30,060.A	
Front Setback	25 feet	25 feet		18.30,060.B	
Side Setback	25 feet	5 feet		18.30,060.C	
Rear Setback	25 feet	25 feet		18.55,070.E	
Building Separation	20 feet	20 feet			
Building Height		35 feet(Max.)			

PRELIMINARY DEVELOPMENT PLAN (PDP-20-05)

THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PHELPS ENGINEERING, INC.
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Olathe, Kansas 66061
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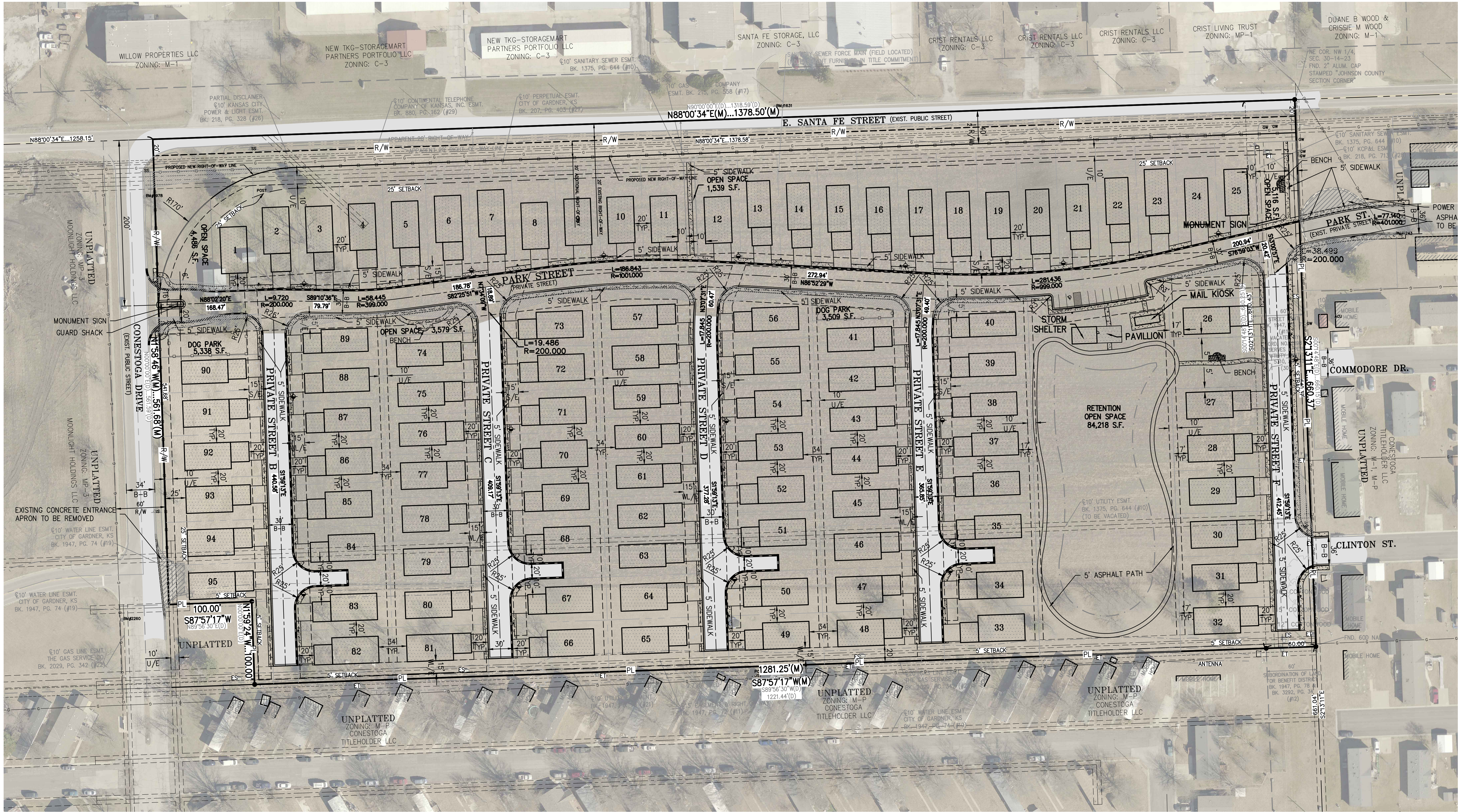


PROJECT NO.	DATE	BY	APP.	REVISIONS
200536	8-28-2020	BRW/BAG	1.	1.
200536	9-11-2020	BRW/BAG	2.	2.

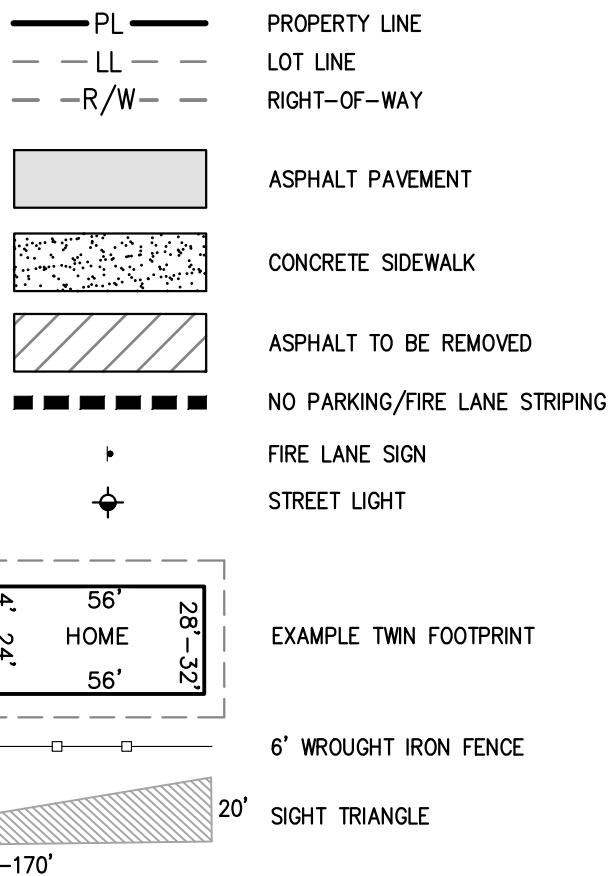
SHEET

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\\PHILIPS-SERVER\Projects\200536\Drawings\200536\Site\Site.dwg Layout:NEWAL Sep 11, 2020 8:53am Bradley Galt



LEGEND



CIVIL ENGINEER:

PHILIPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

OWNER/DEVELOPER:

GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

FLOOD NOTE:

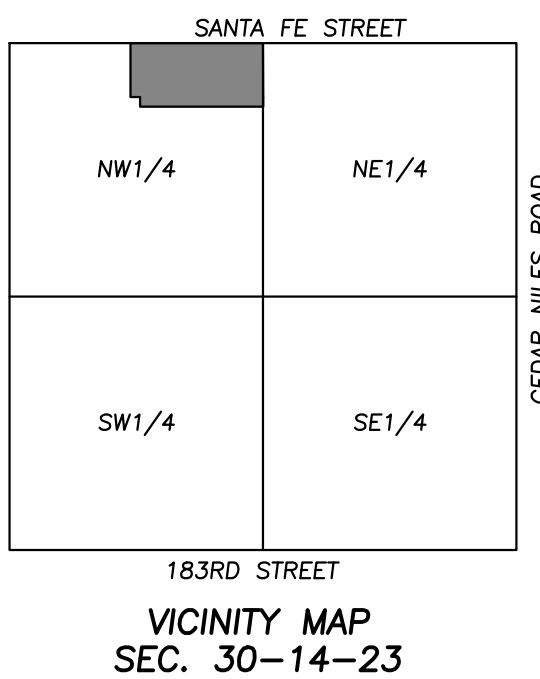
THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091C0121G, AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION:

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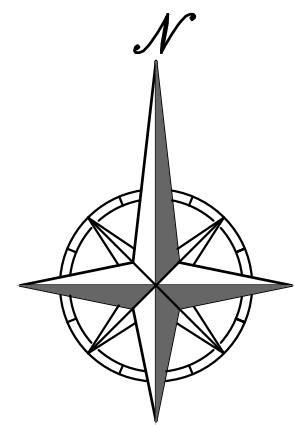
Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°31'1\"/>

GROSS AREA = ±20.7102 ACRES / ±902,136 SQ.FT.
NET AREA = ±20.0772 ACRES / ±874,563 SQ.FT.



NOTES:

- ALL PRIVATE STREETS DESIGNED TO CRITERIA FOR LOCAL-NEIGHBORHOOD.
- ALL STREET AND SITE MAINTENANCE FOR LOT 1, TO BE PROVIDED BY OWNER.



SCALE: 1"=60'
0' 60' 120'

PRELIMINARY DEVELOPMENT PLAN

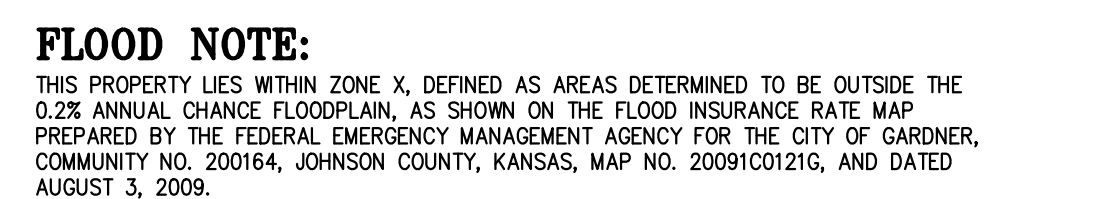
(PDP-20-05)
THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PROJECT NO.	DATE	NO.	DATE	BY	APP.
200536	8-28-2020	1.	8-28-2020	BIG DEU	
200536	9-11-2020	2.	9-11-2020	BIG DEU	
REVISIONS:					
DATE: 8-7-2020 DRAWN: JAC					
CHECKED: DEU APPROVED: JOC					
CITY COMMENTS ADDRESSED					
CITY COMMENTS ADDRESSED					
CERTIFICATE OF AUTHORIZATION					
LAND SURVEYING - LS-82					
ENGINEERING - E-361					
CERTIFICATE OF AUTHORIZATION					
LAND SURVEYING-200701028					
ENGINEERING-200700239					

SHEET
C2.1

PHILIPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax: (913) 992-1166
www.phelpsengineering.com





UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.



SCALE:
1"=2000'

-

PRELIMINARY-GRADING PLAN
THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

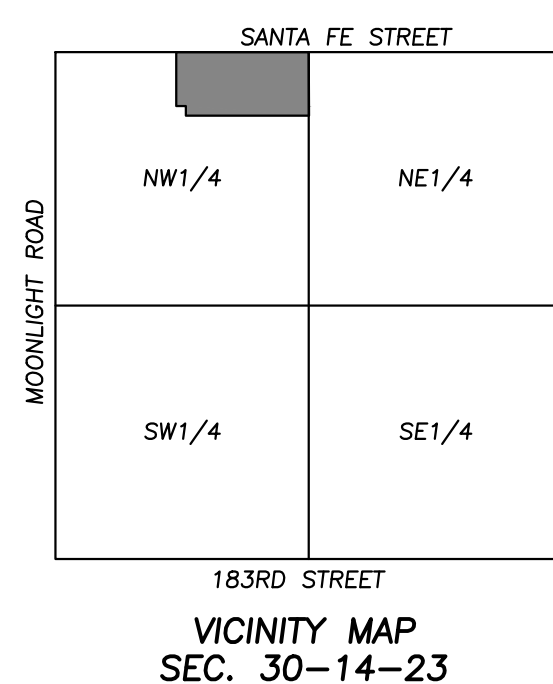
**PLANNING
ENGINEERING
IMPLEMENTATION**

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Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166
www.phelpsen지니어ing.com

By	App.	Date	No.	Project No.	Remarks:
DEL	DEL	8-28-2020	1	200545	CITY COMMENTS ADDRESSED
DEL	DEL	9-11-2020	2	200545	CITY COMMENTS ADDRESSED

SHEET

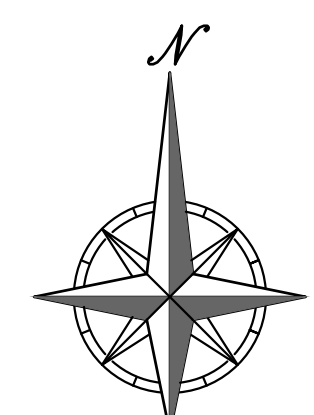
C3




Know what's **below**.
Call before you dig.

UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.

	PROPERTY LINE
	LOT LINE
	RIGHT-OF-WAY
	EXISTING GAS LINE
	EXISTING BURIED ELECTRIC LINE
	EXISTING OVERHEAD POWER LINE
	EXISTING SANITARY SEWER LINE
	EXISTING STORM SEWER LINE
	EXISTING BURIED TELEPHONE LINE
	EXISTING WATER LINE
	PROPOSED BURIED ELECTRIC LINE
	PROPOSED SANITARY SEWER LINE
	PROPOSED STORM SEWER LINE
	PROPOSED WATER LINE
	PROPOSED GAS LINE
	PROPOSED FIRE HYDRANT
	WATER VALVE
	PROPOSED SANITARY SEWER MANHOLE
	STREET LIGHT



SCALE: 1"=60'



A horizontal graphic scale bar with alternating black and white segments. It is marked with '0'' at the left end, '60'' in the middle, and '120'' at the right end.

PRELIMINARY-UTILITY PLAN
THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

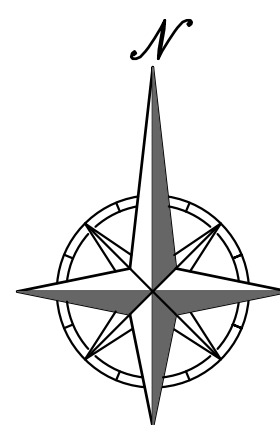
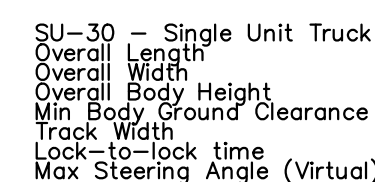
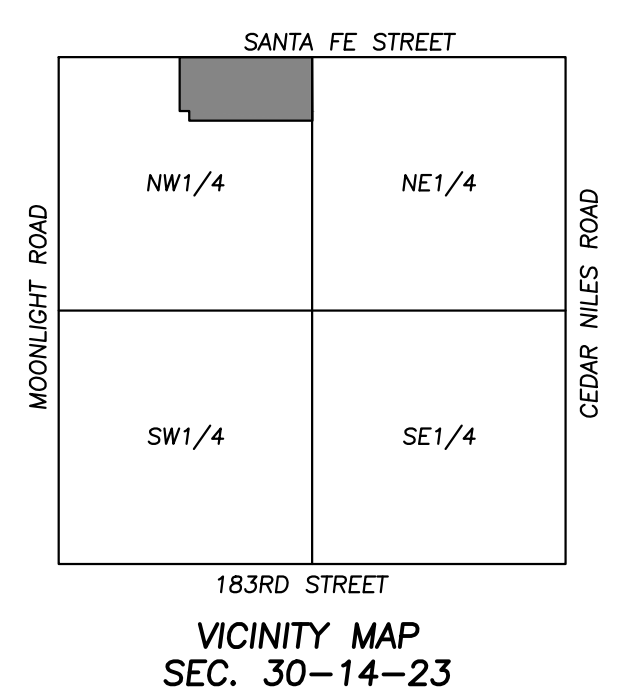
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SHEET
C4

PHHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166
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IMPLEMENTATION



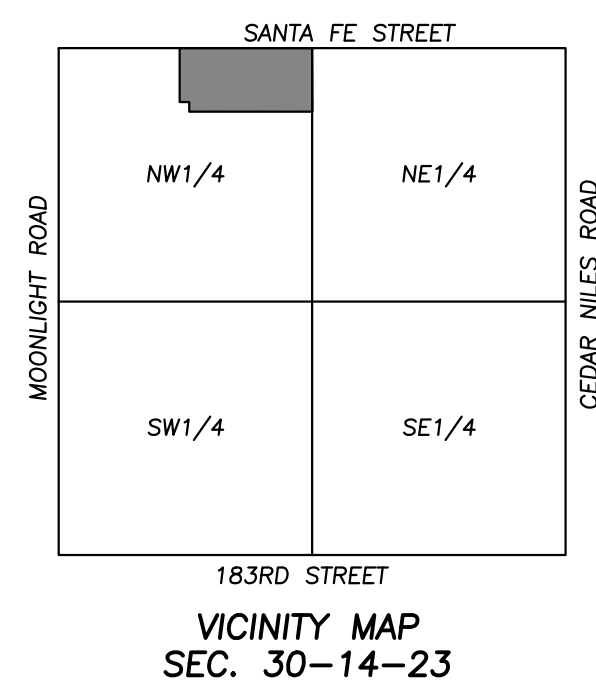
SCALE: 1"=60'

PRELIMINARY-TRUCK TURN PLAN
THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PROJECT NO.	200536	No.	Date	Revisions	By
1. DRAWING		1	8-28-2020	CITY COMMENTS ADDRESSED	BC
2. CERTIFICATE OF AUTHORIZATION		2	9-11-2020	CITY COMMENTS ADDRESSED	BC
3. LAND SURVEYING - LS-80					
4. LAND SURVEYING - E-391					
5. STATEMENT OF AUTHORIZATION					
6. EXISTING UTILITIES					
7. EXISTING UTILITIES					
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SHEET
C5

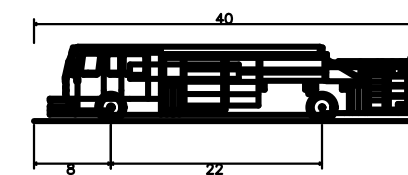
\\PHELPS-SERVER\Projects\1\000536.dwg Preliminary Plans\Fire Truck Turn Plan Layout1 Sep 11, 2020 - 8:04am Bradley Galt



VICINITY MAP
SEC. 30-14-23

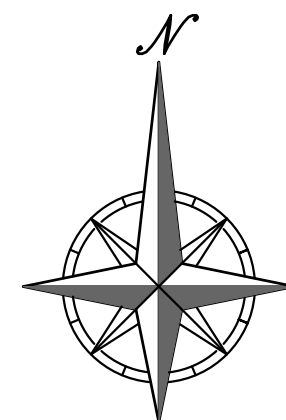


SCALE:
1"=2000'

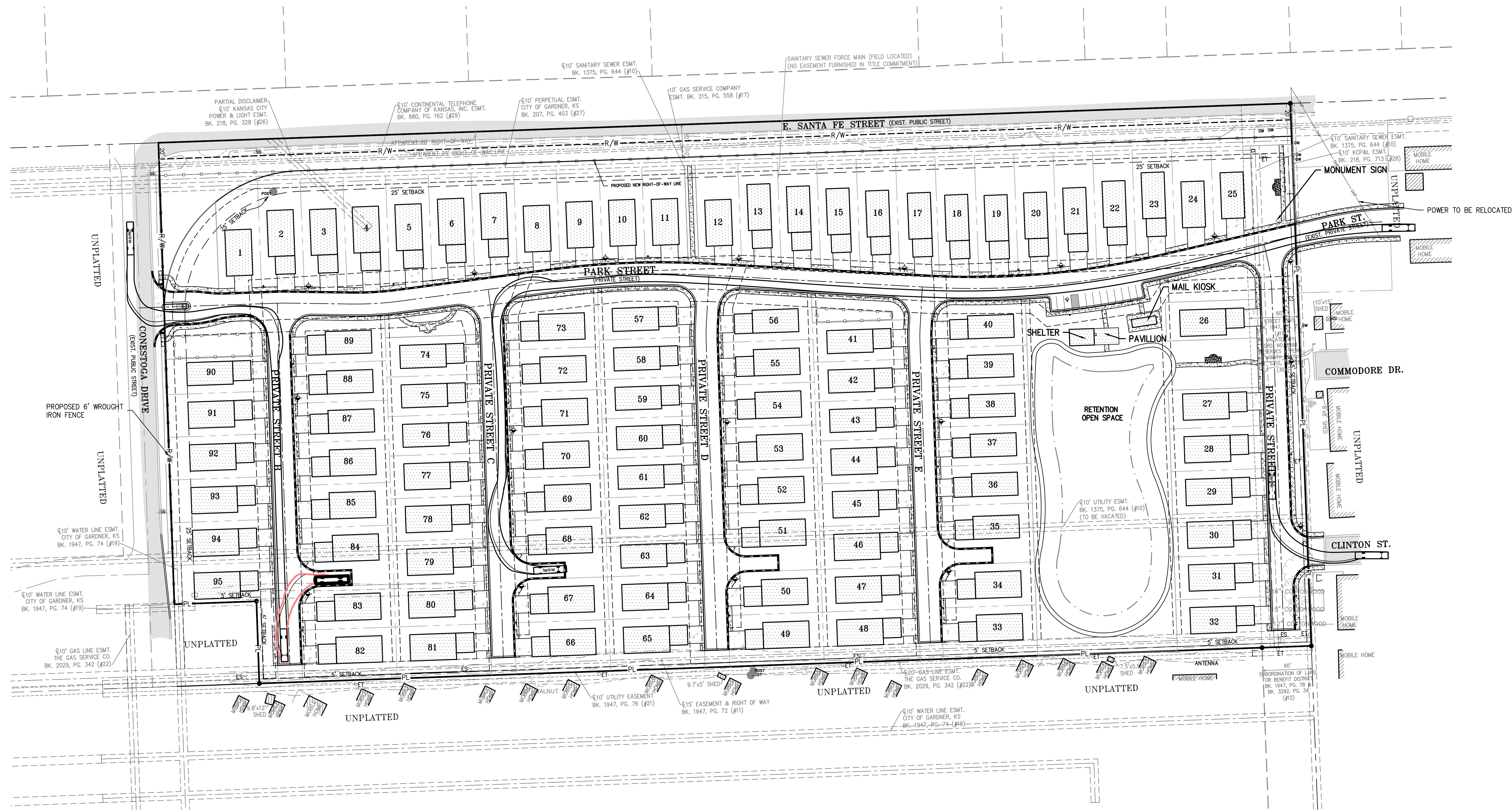


Pumper Fire Truck
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Track Width
Lock-to-lock time
Max Wheel Angle

40.000ft
8.187ft
7.741ft
0.658ft
8.187ft
8.00ft
45.00°



SCALE: 1"=60'
0' 60' 120'



PRELIMINARY-FIRE TRUCK TURN PLAN

THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PROJECT NO.	200536	No.	Date	Revisions:	By	App.
DATE	8-7-2020	DRAWN	1.	8-28-2020	BUG	DEU
CHECKED	DEU	APPROVED	2.	9-11-2020	BUG	DEU
CORPORATE OF AUTHORIZATION						
LAND SURVEYING - LS-82						
ENGINEERING - E-361						
CERTIFICATE OF AUTHORIZATION						
LAND SURVEYING-200701028						
ENGINEERING-200700328						

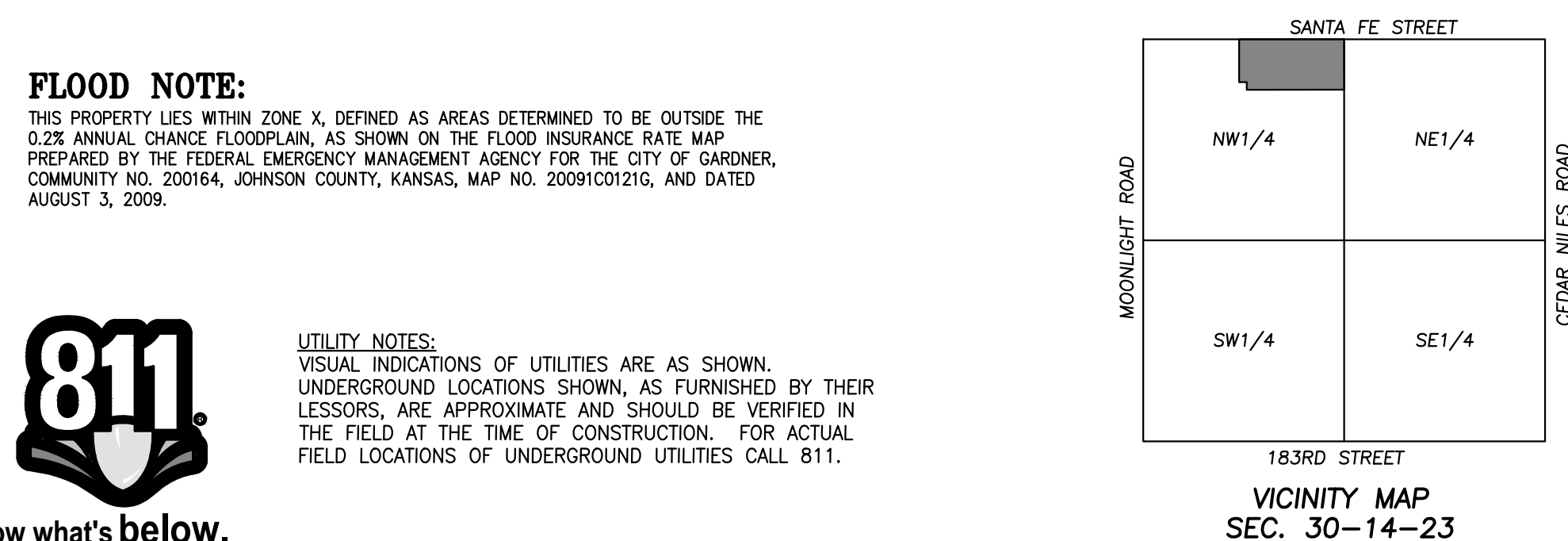
SHEET

C5.1

PHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 993-1155
Fax: (913) 993-1165
www.phelpsengineering.com

PLANNING
ENGINEERING
IMPLEMENTATION





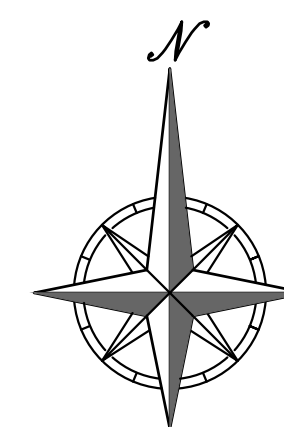
THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091C0121G, AND DATED AUGUST 3, 2009.



UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.

LEGEND

— PL —	PROPERTY LINE
— LL —	LOT LINE
— R/W —	RIGHT-OF-WAY
=====	2' CURB & GUTTER
— 920 —	EXISTING CONTOURS
— 918 —	
— 920 —	PROPOSED CONTOURS
— 918 —	
— 1055.00 —	PROPOSED SPOT ELEVATION
LC	LIP OF GUTTER
TC	TOP OF CURB
SW	SIDEWALK
ME	MATCH EXISTING
HP	HIGH POINT
LP	LOW POINT
P	TOP OF PAVEMENT
TE	TOP OF STRUCTURE
GR	GROUND ELEVATION
BS	BOTTOM OF STEPS
TS	TOP OF STEPS
BW	BOTTOM OF WALL
TW	TOP OF WALL
— — —	EXISTING STORM SEWER
— STM —	PROPOSED STORM PIPE
— — —	DRAINAGE PATH



SCALE: 1"=60'

PRELIMINARY-GRADING PLAN
THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PHILPES ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166
www.philpesengineering.com

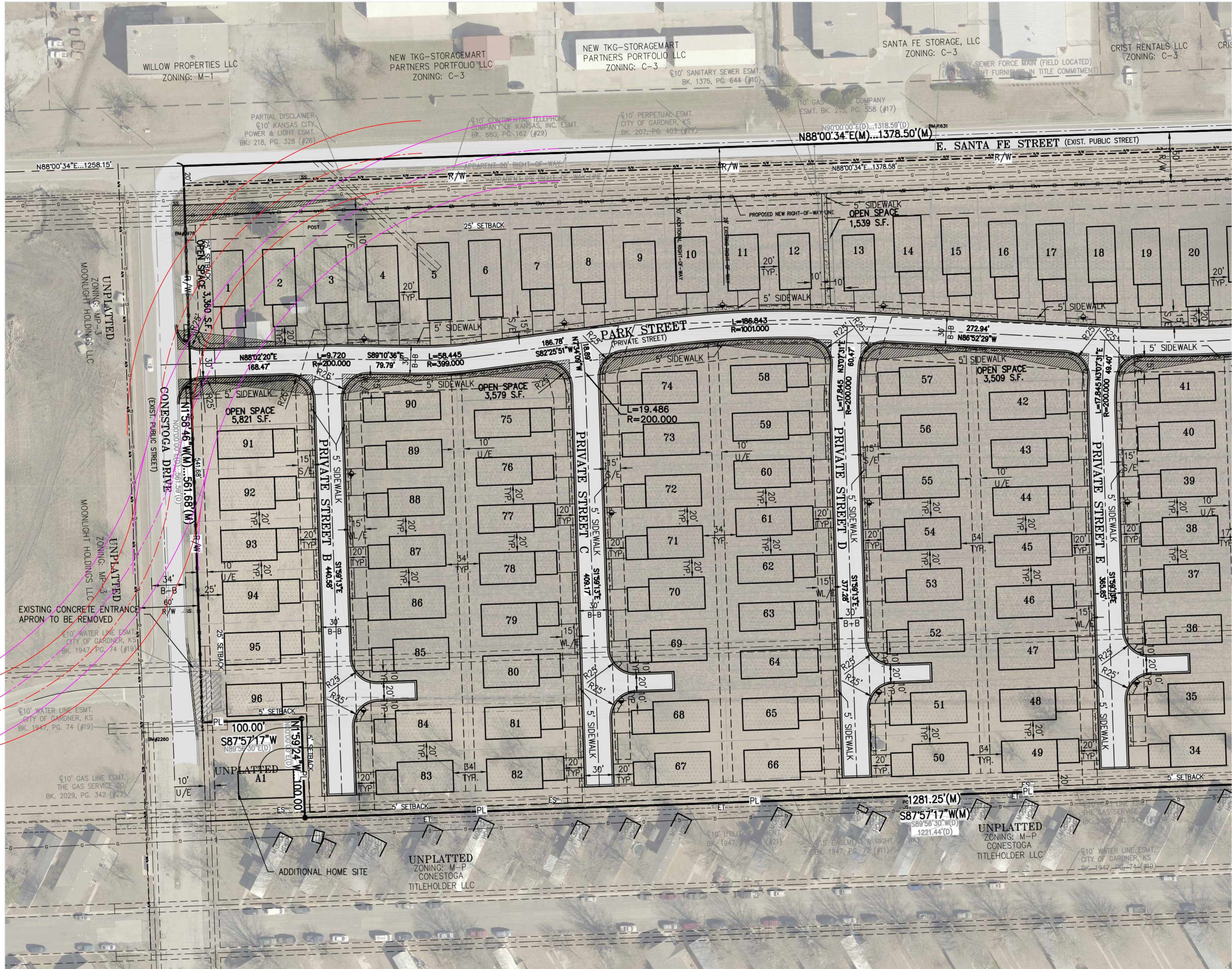
PLANNING ENGINEERING IMPLEMENTATION



No.	Date	By
1.	8-29-2020	BAG DELU
Revisión:		
PROJECT NO. 200536	CITY COMMENTS ADDRESSED	
DRAWING DATE= 7-20	DRAWN BY CHECKER DEU APPROVED JDC	
CERTIFICATE OF AUTHORIZATION		
WARRANT SERVICES - LS-40		
ENGINEERING = E-3BT		
CERTIFICATE OF AUTHORIZATION		
LS STATE-WM-2607/00128		

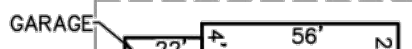
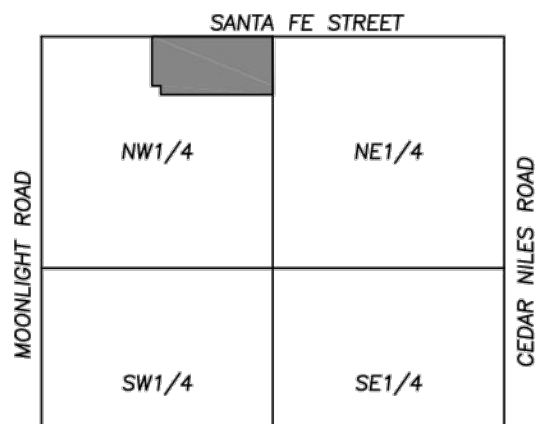
SHEET

C3



LEGEND

- PL ——— PROPERTY LINE
- LL ——— LOT LINE
- R/W ——— RIGHT-OF-WAY
- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- ASPHALT TO BE REMOVED
- NO PARKING/FIRE LANE STRIPING
- FIRE LANE SIGN
- STREET LIGHT



CIVIL ENGINEER:

PHelps ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

OWNER/DEVELOPER:

GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091001216, AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°31' E (S 01°48' E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17"



PRELIMINARY DEVELOPMENT PLAN APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

SITE INFORMATION

Property Address/Location _____
Legal Description (Attach If Necessary) _____
Number of Existing Lots _____ Number of Proposed Lots _____
Total Site Area _____ Present Zoning _____
Present Land Use _____ Proposed Use(s) _____
Proposed Street Design Type(s) & Class _____
Proposed Type(s) Open & Civic Space _____
Proposed Frontage Type(s) _____
Proposed Building Types(s) _____

SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a preliminary development plan as indicated above.

Signature(s): Curtis M. Holland Date _____
_____ Date _____

PRELIMINARY DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of full sized plans printed and folded |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Sign posting affidavit |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Preliminary Stormwater Management Plan (2 printed and 1 digital copy) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Preliminary Traffic Assessment See Access Management Code. (2 printed and 1 digital copy) |

To follow under seperate delivery

PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Public Realm Plan
A plan outlining the general location, design characteristics, and functions of all proposed streets, storm water management, open spaces, civic spaces, and circulation networks – whether public, common or private – that will create the public realm for the plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Development Plan
A plan indicating the specific land uses and their density/intensity, block and lot patterns, building types and scale, design characteristics, and other building and site design elements that reflect the proposed character of the plan. This plan shall have a particular emphasis on how these elements relate to the public realm plan and where transitions between these elements occur at a parcel or block scale, both within the development and in coordination with abutting property. The development plan shall specifically identify where development standards may differ from those otherwise applicable through the base zoning districts and general development requirements of this Code. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Existing Conditions
Analysis identifying the general layout of any existing structures, streets or infrastructure and the location of natural features such as watercourses, steep grades, significant stands of trees, specimen trees or other features. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Phasing or Implementation
A strategy indicating the estimated timing of development, and any other administrative details of implementing the plan through future final site plans. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.). |

Yes No

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Date of preparation and/or revisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Vicinity map (drawn at a scale of 1"=2,000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. A legal boundary description with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Location of monuments , shown in reference to existing official monuments or the nearest established ¼ section corner, including the bearings and distances to such reference points or monuments. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Boundary lines of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances). |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Lots and tracts identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Building setback lines along public and private streets with dimensions in feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Existing streets and driveways which abut, touch upon or extend through the subdivision and/or streets located within 400 feet of the plat. The description shall include types and widths of existing surfaces, right-of-way widths, and dimensions of any bridges and culverts. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Location of existing open space, alleys, parks, streams, ponds , or other similar features within plat, and whether they are to be retained or removed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Location of existing buildings and structures within 200 feet of the plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Existing utilities , including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection. |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Topography of the area contained in the plat and within 20 feet of the plat boundary shown by 2-foot contour intervals and proposed preliminary grading. Contour lines shall be legible but not overpowering. |
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Proposed street network , including right-of-way, bearings, tangents, and horizontal and vertical curvature data (use of flow direction arrows and percent of grade is permitted at preliminary for vertical curve data, unless otherwise specified/required) along the centerline of each street. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. Proposed sidewalks and/or trail locations including proposed widths. |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Proposed utilities , including approximate location of sanitary sewer, water main, street lights, and storm sewer. |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Existing and proposed easements with dimensions. Existing easements shall be labeled with book and page number. A 10-foot utility easement shall be shown adjacent to arterial streets. |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Any area within a federally designated floodplain . Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991). |

Yes No☐☐23. **Stream corridor boundary** and dimensions.☐☐24. **Intersection site distance analysis.**☐☐25. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.☐☐26. **All public streets** within the plat conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications.**No public streets**

I hereby submit all information required for preliminary development plan review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

_____
Signature of Applicant_____
Date



BUSINESS & ECONOMIC DEVELOPMENT

September 22, 2020

Dear Property Owner:

The Gardner Planning Commission will hold their regular meeting on **Tuesday, September 22, 2020, beginning at 7:00 p.m.**, in the Council Chambers at Gardner City Hall, 120 E. Main Street. The following items may be of interest to you:

CUP-20-02: Proposed conditional use permit for a Manufactured/Mobile Home Community located at 1009 E. Santa Fe Street in Gardner. (Tax ID CF231430-1012); and

Z-20-08: Proposed rezoning of approximately 20.07 acres from R-2 (Two-Family Residential District), M-P (Mobile Home Park District), and C-3 (Commercial District) to M-P (Mobile Home Park District) for a Manufactured/Mobile Home Community located at 1009 E. Santa Fe Street in Gardner. (Tax ID CF231430-1012).

Conditional Use Permit and Rezoning requests are considered public hearing items and the public will be given the opportunity to make oral comments on such requests at the meeting. Written comments are welcomed and encouraged.

A complete legal description for this property is available at the City of Gardner Business & Economic Development Department at Gardner City Hall, 120 E. Main Street, Monday - Friday from 8:00 a.m. - 5:00 p.m. If you have questions relating to this matter, please contact me at 405-630-5217.

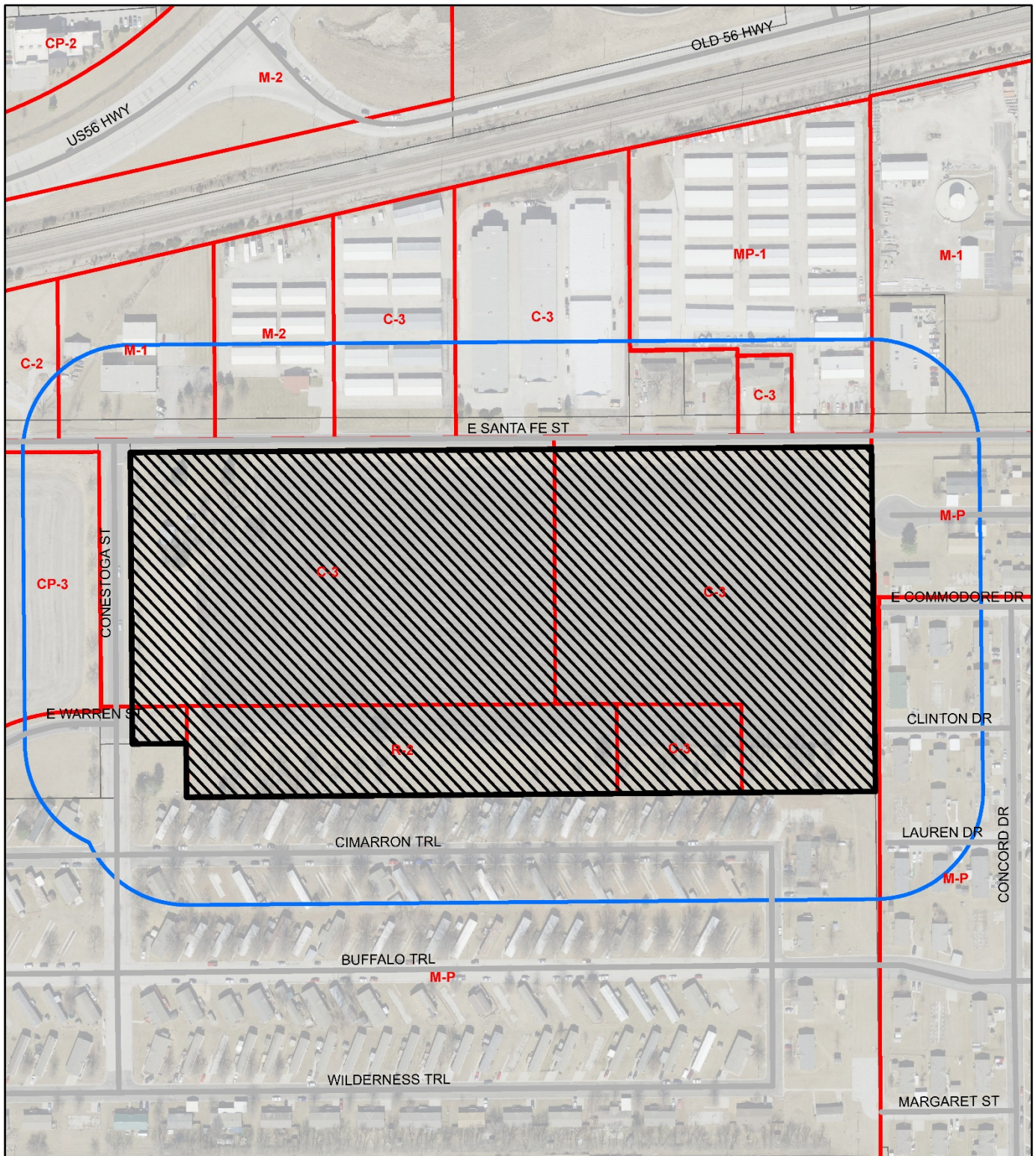
After the Planning Commission makes a recommendation, property owners within 200' of the subject area, 1000' in the county, may submit a protest petition against such recommendation. The protest petition must be filed with the City Clerk, within 14 days of the conclusion of the public hearing. For more information contact the Business & Economic Development Department.

PLEASE NOTE: If you have recently transferred ownership of your property in the area of this request, or if such property is under a contract purchase agreement, we ask you to please forward this letter to the new owner or the contract purchaser.

Sincerely,

Laura Bergey, AICP
Planner

Enclosure



N



Gardner Planning Commission

CUP-20-02: Conditional Use Permit for a Manufactured/Mobile Home Community

Z-20-08: Rezoning from R-2, M-P, and C-3 to M-P for Lakes of Conestoga

Meeting Date: September 22, 2020

-  Subject Property
-  200' Buffer
-  Zoning

PLANNING COMMISSION STAFF REPORT
MEETING DATE: SEPTEMBER 22, 2020
PREPARED BY: LAURA BERGEY, AICP

NEW BUSINESS ITEM No. 3

PROJECT NUMBER / TITLE: PP-20-11 Preliminary Plat for Lakes of Conestoga

PROCESS INFORMATION

Type of Request: Preliminary Plat

Date Received: August 7, 2020

APPLICATION INFORMATION

Applicant: Curtis Holland

Owner: Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis

Parcel ID: CF231430-1012

Location: The southeast corner of E. Santa Fe Street and Conestoga Drive.

REQUESTED ACTION

Hold a public hearing on and consider a preliminary plat request for Lakes of Conestoga, a 95 unit Manufactured/Mobile Home Community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive.

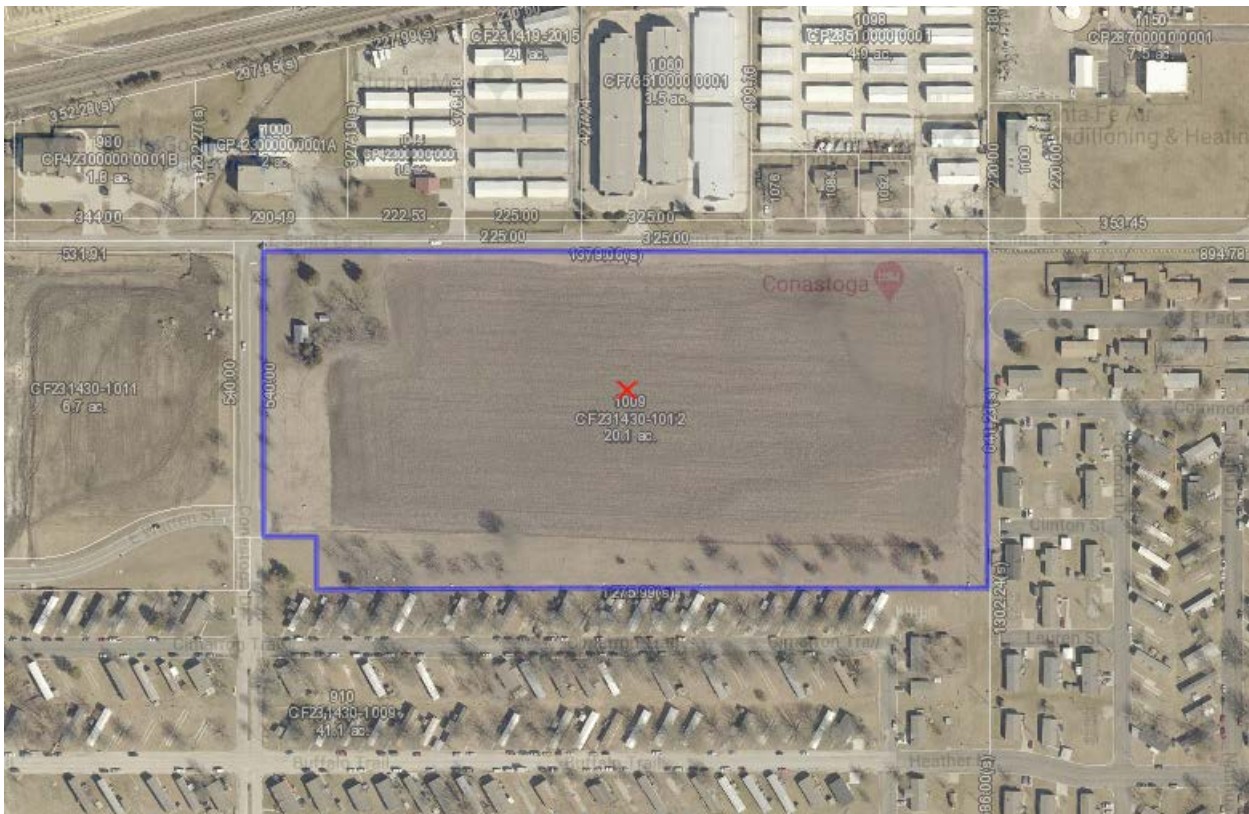
EXISTING ZONING AND LAND USE

The site is currently zoned R-2 (Two-Family), M-P (Mobile Home Park), and C-3 (Commercial) Districts and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
M-1 (Restricted Industrial) District	Pet Supply Store (Pets Go Here)
M-2 (General Industrial) District	Outdoor Self Storage (StorageMart)
C-3 (Heavy Commercial) District	Outdoor Self Storage (StorageMart and Attic Storage of Gardner) Single-Family Residential (3 unplatted homes)
MP-1 (Planned Restricted Industrial) District	Outdoor Self Storage (Gardner Auto Body & Towing and Outback Storage)
East of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
South of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
West of subject property	

CP-3 (Planned Commercial) District	Undeveloped land
R-2 (Two-Family Residential) District	Undeveloped land



EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. All utilities are available to this site and will be serviced by the City of Gardner. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.

BACKGROUND / HISTORY

The property was annexed on March 6, 1978 per Ordinance 1337. Currently, the property is not in use. At the time the property was annexed into the City, the property was zoned for retail business uses in 1971 and 1973, and a mobile home park in 1973 by the Gardner Township Zoning Board as part of Johnson County Government. In approximately 1982, a portion of the property was rezoned to R-2 (Two-Family Residential district) but was not developed and has remained undeveloped since.

The current zoning pattern of the site shows a majority of the property is zoned C-3 (Heavy Commercial District), with a small portion of the property near the Conestoga Drive/Warren Street intersection zoned R-2 (Two-Family Residential District) and R-M (Residential Manufactured and Mobile Home Planned District).

CONSISTENCY WITH COMPREHENSIVE PLAN

The *Future Land Use Map* in the *City of Gardner 2014 Comprehensive Plan* identifies this parcel for “Light Industrial & Office Park” future land use, which is described as areas with uses primarily consisting of light manufacturing, general office, and distribution. The Industrial Areas Plan, located in the Land Use and Development chapter of the Comprehensive Plan, further defines this parcel as “Local Industrial,” which is defined as “smaller pockets of manufacturing and light industrial operations that have a close relationship to adjacent residential or commercial areas and require unique strategies to ensure that they remain vital, and do not negatively impact nearby uses.” Although the requested change is not entirely in conformance to the amended Future Land Use Map, the parcel subject to this project has been identified as “Light Industrial & Office Park,” in which the MP-3 zoning district is not a compatible zoning designation within that land use category. However, staff is supportive of the development request for the following reasons:

- The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. With the approval of this request, the proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.
- The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.

STAFF ANALYSIS – PRELIMINARY PLAT

17.03.020 (D1) Review Criteria:

- a. The application is in accordance with the Comprehensive Plan and in particular the physical patterns, arrangement of streets, blocks, lots and open spaces, and public realm investments that reflect the principles and concepts of the plan.

Staff Comment: *The application proposes the platting of one parcel into a single lot that contains 95 individual home sites for manufactured/mobile homes. The proposed local-neighborhood streets, lots, and blocks are designed to reinforce the character of the area while also providing continuous access to the adjoining neighborhood to the east.*

- b. Compliance with the requirements of this Land Development Code, and in particular the blocks and lots proposed are capable of meeting all development and site design standards under the existing or proposed zoning.

Staff Comment: *With the approval of the deviations from the Preliminary Development Plan, this development is in compliance with the Land Development Code and is capable of meeting all the development and sight design standards under the proposed zoning.*

- c. Any phasing proposed in the application is clearly indicated and demonstrates a logical and coordinated approach to development, including coordination with existing and potential development on adjacent property.

Staff Comment: *The development is proposed to occur in a single phase.*

- d. Any impacts identified by specific studies or technical reports, including a preliminary review of stormwater, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.

Staff Comment: *Both the Stormwater Management Plan and Traffic Impact Study have yet to be approved by the Public Works Department. This will be a recommended condition of approval.*

- e. The application does not deter any existing or future development on adjacent property from meeting the goals and policies of the Comprehensive Plan.

Staff Comment: *This development does not deter any existing development on adjacent property from meeting the goals and policies of the Comprehensive Plan. However, because the proposed development does not comply with the designation of "Light Industrial and Office Park," the intent of the development is consistent with the surrounding area and approval would not negatively affect or deter future development from meeting the goals and policies of the Comprehensive Plan.*

- f. The design does not impede the construction of anticipated or planned future public infrastructure within the area.

Staff Comment: *The design of existing and proposed infrastructure does not impede the construction of anticipated or planned future public infrastructure within the area. The applicant has provided additional right-of-way to facilitate a future through movement of the Santa Fe – Conestoga Drive – Warren Street connection, where curves will replace the current intersections at Santa Fe/Conestoga and Warren/Conestoga.*

- g. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Comment: *Staff recommends approval of the preliminary plat for the Lakes of Conestoga with conditions.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

ELECTRIC

Underground electric lines are currently installed along all property lines and is to be extended into the property to serve the future development. Electric easements have been provided as requested.

SANITARY SEWER

The subject property is within the City of Gardner sanitary sewer service area. Sanitary sewer service will be extended into the property through 8" sanitary sewer lines to serve the future development. Sanitary Sewer easements have been provided as requested.

WATER

Existing water lines are located adjacent to the site and will be extended into the property through 8" water lines to serve the future development. Appropriate easements have been provided as requested.

STORM WATER

A stormwater retention basin was included with the preliminary development plan to address stormwater for the entire development. The function of the retention basin was reviewed by Public Works and determined the size of the retention basin was adequate to capture onsite development runoff.

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

The applicant is planning to extend Park Street (adjacent existing private street with temporary cul-de-sac) west throughout the development to connect with Conestoga Drive (collector street) and will construct five (5) internal private street networks within the subject property, Private Streets B, C, D, E, and F, that extend south and provide individual home site access. It is important to note that these internal private streets do not connect to adjacent street networks, and are dead-end streets with hammerhead style turnarounds. Fire expressed concern for this type of turnaround, stating that hammerhead turnarounds typically become parked vehicle collection points and would want to see fire lane markings and enforcement from the ownership/property managers to ensure these turnarounds are always available for use. The applicant has acknowledged this concerns and has shown fire lane striping on the plan. Additionally, Public Works has requested an additional right-of-way dedication in the northwest corner of the site to facilitate a future through movement of the Santa Fe – Conestoga Drive – Warren Street connection, where curves will replace the current intersections at Santa Fe/Conestoga and Warren/Conestoga. The attached exhibit reflects two different radii with 30 foot offsets to show the right-of-way limits. The pink centerline radius is 375 feet for 35 mph and the red centerline radius is 250 feet for 30 mph. The applicant has addressed this future requirement and has dedicated additional right-of-way on the plan to allow for future improvements at the intersection. The right of way granted will allow for a curve with a 200' radius at the roadway centerline.

The Local – Neighborhood Street requires a 5' sidewalk on both sides of all streets while maintaining a 6' planting bed between the curb and sidewalk for street trees. These requirements are met and the applicant has proposed a 5' sidewalks to be installed on both sides of all internal streets. Additionally, it was requested for the applicant to provide sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1

ATTACHMENTS

- I. Preliminary Plat
- II. Application
- III. Right-of-way radii graphic

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Preliminary Plat – The approval of the preliminary plat does not constitute an acceptance of the subdivision, but authorizes preparation of the final plat. If the Planning Commission tables a plat, the applicant shall have 60 days to submit information sufficient for approval or the application shall be deemed denied. The applicant may request that a denied preliminary plat be submitted to the Governing Body and the Planning Commission shall submit all information to the Governing Body, which can make a determination consistent with these regulations. The approval of the preliminary plat shall be effective for 18 months, except that any approval of a final plat for any phase specifically indicated on a preliminary plat shall renew the 18-month period. The Planning Commission may grant an extension of this period for up to one year, if the applicant demonstrates substantial progress towards the design and engineering requirements necessary to submit a final plat.

RECOMMENDATION

Staff recommends approval of the preliminary plat for Lakes of Conestoga with the conditions outline below:

1. Approval of preliminary development and associated rezoning
2. Approval of proposed Conditional Use Permit
3. Approval of Stormwater Management Plan and Traffic Impact Study

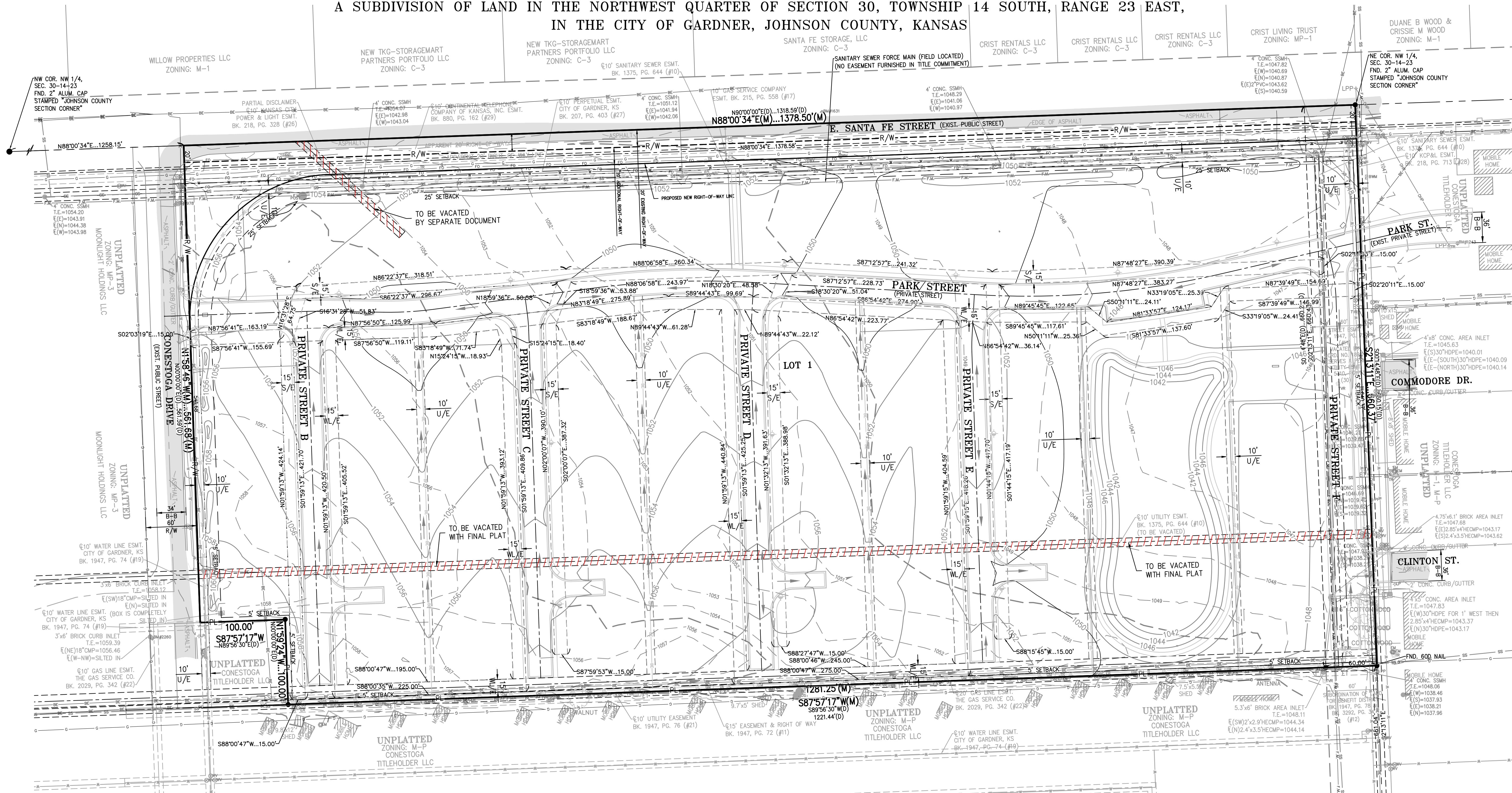
Recommended Motion:

After review of application PP-20-11 a preliminary plat for Lakes of Conestoga, a 95 unit Manufactured/Mobile Home Community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive (Tax ID CF231430-1012) dated September 11, 2020, and staff report dated September 22, 2020, the Planning Commission recommends the Governing Body approve the applications subject to the following conditions:

1. Approval of preliminary development and associated rezoning
2. Approval of proposed Conditional Use Permit
3. Approval of Stormwater Management Plan and Traffic Impact Study

THE LAKES OF CONESTOGA

A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 23 EAST,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



OWNER/DEVELOPER:

GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

CIVIL ENGINEER:

PHelps ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

EXISTING ZONING

THIS PROPERTY IS ZONED R-2 (TWO FAMILY RESIDENTIAL DISTRICT), RM-P (MANUFACTURED AND MOBILE HOME PLANNED DISTRICT), CP-3 (HEAVY COMMERCIAL PLANNED DISTRICT) PER THE PLANNING & ZONING RESOURCE COMPANY ZONING AND SITE REQUIREMENTS SUMMARY FOR CONESTOGA EXPANSION AT 1009 EAST SANTA FE STREET GARDNER, KANSAS PREPARED FOR GREEN COURTE ACQUISITION IV, LLC AND DATED 06/29/2020 REVISED 07/31/2020 PZR SITE NUMBER 138851-1.

PROPOSED ZONING

M-P (MOBILE HOME PARK RESIDENTIAL DISTRICT)

DENSITY

A. BUILDING DENSITY FORMULA:
B. APPROXIMATE BUILDING FOOTPRINT:

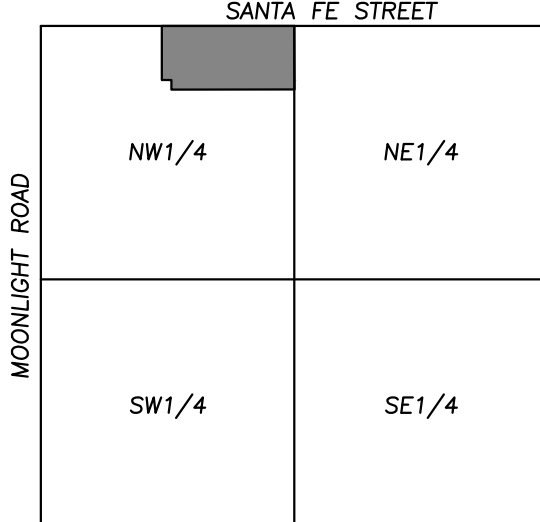
NOT RESTRICTED.
NOT APPLICABLE, AS VACANT LAND.

4. PARKING
A. PARKING SPACE FORMULA:
B. PARKING SPACES REQUIRED:
C. EXISTING PARKING SPACES:

MOBILE HOMES: 2 SPACES PER MOBILE HOME.
SEE ABOVE.
TOTAL PARKING SPACES

LEGEND

- DENOTES SET 1/2"x24" REBAR W/PHelps CORP.
- S-82 PLASTIC CAP IN CONCRETE
- DENOTES FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)
- U/E DENOTES UTILITY EASEMENT
- S/E DENOTES SANITARY SEWER EASEMENT
- W/E DENOTES WATERLINE EASEMENT
- B.L. DENOTES BUILDING LINE
- (D) DENOTES DEED
- (M) DENOTES MEASURED
- ✚ STREET LIGHT



VICINITY MAP
SEC. 30-14-23

NOTES:

1. ALL PRIVATE STREETS DESIGNED TO CRITERIA FOR LOCAL-NEIGHBORHOOD.

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

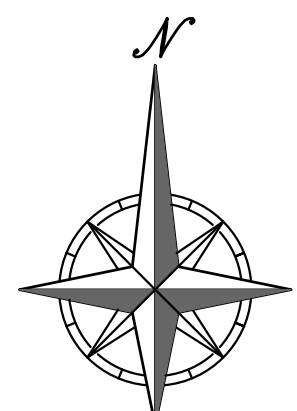
Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°31'1" E (S 01°48'E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17" W (S 89°56'30" W deeded), a distance of 1281.25 feet; thence N 1°59'24" W (N 0°00'00" E deeded), a distance of 100.00 feet; thence S 87°57'17" W (N 89°56'30" E deeded), a distance of 100.00 feet; thence N 1°58'46" W (N 0°00'00" E deeded), a distance of 561.68 feet (561.59 feet deeded) to a point on the North line of the Northwest Quarter of said Section 30; thence N 88°00'34" E (N 90°00'00" E deeded), along the North line of the Northwest Quarter of said Section 30, a distance of 1378.50 feet to the point of beginning, containing 20.7102 acres, more or less, unplatted land, subject to that part in streets and roads.

GROSS AREA = ±20.7102 ACRES / ±902,136 SQ.FT.
NET AREA = ±20.0772 ACRES / ±874,563 SQ.FT.

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 2009IC0212G, AND DATED AUGUST 3, 2009.

LOT AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
LOT 1	840792.52	19.3019



SCALE: 1"=60'

BUILDING SET-BACK LINES

A. EXTERIOR LOT LINES: 25 FEET

MOBILE HOME SITE SETBACKS:

B. FRONT:

25 FEET OR 0 FEET FOR SITES FRONTING ON COURTYARDS OR OTHER CIVIC SPACE OF COMMON AREA

C. SIDE:

5 FEET, OR 15 FEET ON STREET SIDE CORNER LOTS.

D. REAR:

25 FEET, OR 10 FEET BACKING TO BUFFERS, COMMON OPEN SPACE OR ALLEYS.

E. BUILDING SEPARATION:

20 FEET OR 30 FEET BETWEEN THE DWELLING AND ACCESSORY BUILDING, EXCEPT SHEDS OR ACCESSORY STRUCTURES SERVING THE HOME SITES.

BUILDING SIZE

A. MAXIMUM BUILDING HEIGHT OR STORIES: 35 FEET

B. EXISTING BUILDING HEIGHT OR STORIES:

NOT APPLICABLE, AS VACANT LAND.

C. BUILDING SITE AREA REQUIREMENTS:

MINIMUM PROJECT AREA: 15 ACRES
MINIMUM LOT FRONTAGE: 300 FEET
MINIMUM LOT AREA PER DWELLING UNIT: 4,000 SQUARE FEET (80 X 4,000) = 320,000 SQUARE FEET
MINIMUM MOBILE HOME SITE AREA 2,000 SQUARE FEET
MINIMUM OPEN AND CIVIC SPACE: 200 SQUARE FEET PER DWELLING OR 15% OF THE COMMUNITY, WHICHEVER IS GREATER. (80 X 200) = 16,000 SQUARE FEET (874,249 X 0.15) = 131,137 SQUARE FEET

PHelps ENGINEERING, INC.

1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166
www.phelpsengineering.com

PLANNING
ENGINEERING
IMPLEMENTATION

PH

PRELIMINARY PLAT (PP-20-11)

THE LAKES OF CONESTOGA
1009 E SANTA FE STREET
GARDNER, KS

PROJECT NO.	DATE	BY	APP.	REVISIONS	DATE	NO.	DESCRIPTION
200536	8-28-2020	BRANDEJ	DEU	1.	8-28-2020	1.	DATE: 8-28-2020
200536	9-11-2020	BRANDEJ	DEU	2.	9-11-2020	2.	CITY COMMENTS ADDRESSED
CERTIFICATE OF AUTHORIZATION I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Kansas, do hereby certify that the above is a true and correct copy of the original as filed in my office.							
Judd Claussen, P.E. License No. 200536 State of Kansas							

SHEET

C1.0



PRELIMINARY PLAT APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

SITE INFORMATION

Property Address/Location _____
Legal Description (Attach If Necessary) _____
Number of Existing Lots _____ Number of Proposed Lots _____
Total Site Area _____ Present Zoning _____
Number of Existing Structures _____ Present Land Use _____
Proposed Street Design Type(s) & Class _____
Proposed Type(s) Open & Civic Space _____
Proposed Frontage Type(s) _____
Proposed Building Types(s) _____

SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for preliminary plat as indicated above.

Signature(s): Curtis M. Holland Date _____
_____ Date _____

PRELIMINARY PLAT APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. 10 complete sets of full sized plans printed and folded |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application, plans, and legal description |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. 1 copy of existing covenants and restrictions applicable to the development, if any (reference book and page). |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Letter of intent as to whether a Homeowners Association will be created and if any covenants and restrictions are proposed by the subdivider. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Preliminary Floodplain modeling using HEC-RAS model provided by the City if encroachment is proposed within a FEMA or Shaded Zone X 100-year floodplain. (Contact City Engineer to obtain model and requirements). |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Preliminary Stormwater Management Plan (2 printed and 1 digital copy) |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Preliminary Traffic Assessment See Access Management Code. (2 printed and 1 digital copy) To follow under separate delivery |

PRELIMINARY PLAT REQUIREMENTS

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Name of subdivision (unique and numerically consistent and the words "PRELIMINARY PLAT," prominently displayed as the title.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Names, addresses, and phone numbers of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.). |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Date of preparation of preliminary plat and/or revisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Vicinity map (drawn at a scale of 1"=2,000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. A legal boundary description with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Location of monuments , shown in reference to existing official monuments or the nearest established ¼ section corner, including the bearings and distances to such reference points or monuments. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Boundary lines of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances). |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. All public streets within the plat conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Building setback lines along public and private streets with dimensions in feet. |

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Platted and unplatted land adjacent to the plat boundary. Include identification of adjacent platted subdivisions and unplatted tracts with external bearings and distances of adjacent plats and property owners for a distance of not less than 400 feet. Include original plat names if replatted. Exterior dimensions shall coincide with adjoining plats unless differences are noted |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Lots and tracts identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Note on plat indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Existing streets, driveways, trails, and sidewalks which abut, touch upon or extend through the subdivision and/or streets located within 400 feet of the plat. The description shall include types and widths of existing surfaces, right-of-way widths, and dimensions of any bridges and culverts, access points and signals. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Location of existing open space, alleys, parks, streams, ponds, vegetation, or other similar features within plat, and whether they are to be retained or removed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Location of existing buildings and structures within 200 feet of the plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Existing utilities, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection. |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Topography of the area contained in the plat and within 20 feet of the plat boundary shown by 2-foot contour intervals and proposed preliminary grading. Contour lines shall be legible but not overpowering. |
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Proposed street network, including right-of-way, bearings, tangents, and horizontal and vertical curvature data (use of flow direction arrows and percent of grade is permitted at preliminary for vertical curve data, unless otherwise specified/required) along the centerline of each street. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. Proposed sidewalks and/or trail locations including proposed widths. |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Proposed utilities, including approximate location of sanitary sewer, water main, street lights, storm sewer, detention and treatment facilities. |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Existing and proposed easements with dimensions. Existing easements shall be labeled with book and page number. |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Any area within a federally designated floodplain. Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991). |
| <input type="checkbox"/> | <input type="checkbox"/> | 23. Stream corridor boundary and dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | 24. Intersection site distance analysis. |
| <input type="checkbox"/> | <input type="checkbox"/> | 25. Copies of all pertinent exception documents, or a copy of a current American Land Title Association (ALTA) survey, or both. |

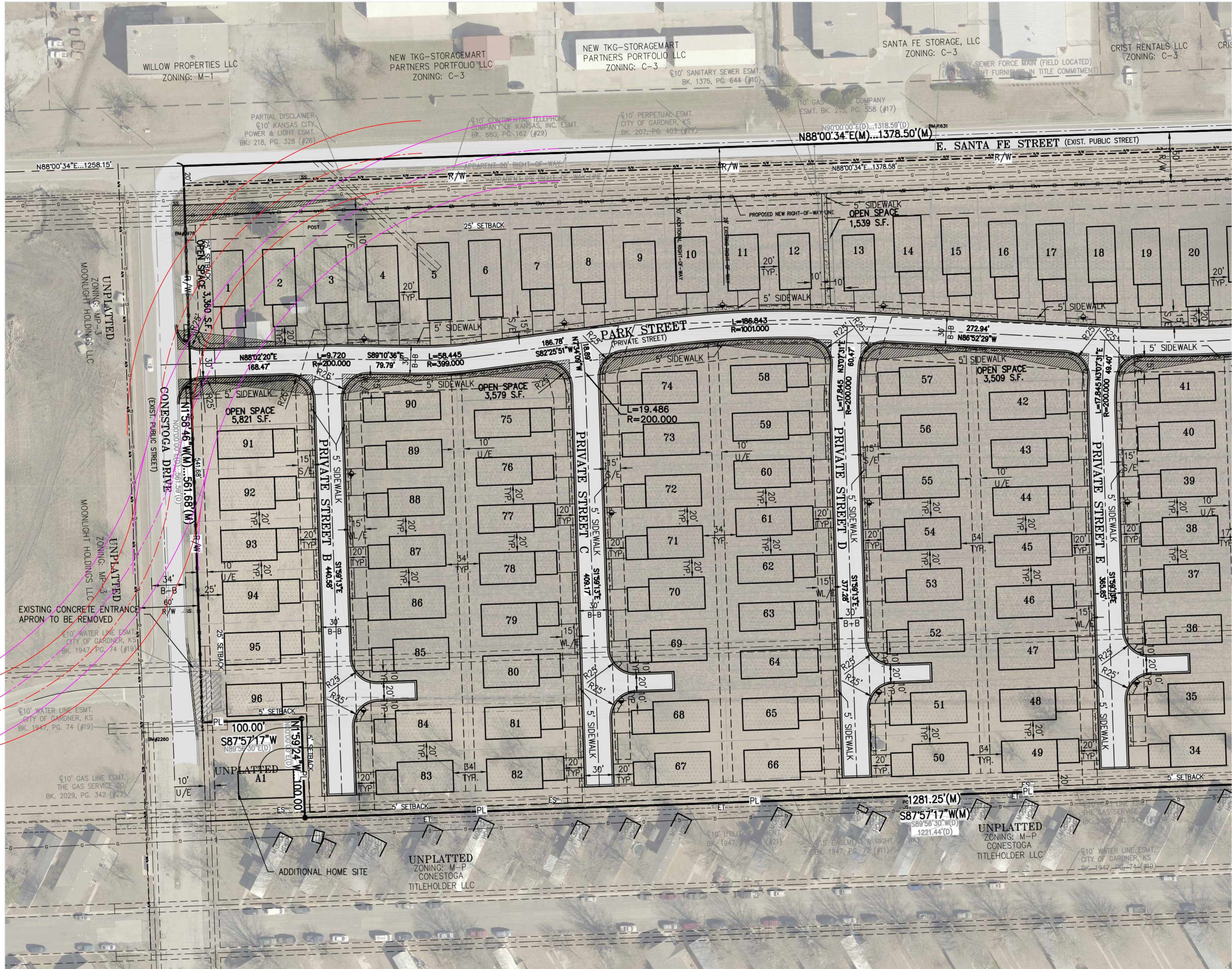
Written explanations for any items not checked or checked "No" (attach additional sheets, if necessary):

I hereby submit all information required for preliminary plat review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted. By signing this application, I acknowledge that all public streets and public infrastructure within the plat shall conform to the applicable minimum design standards set forth in the Gardner Municipal Code and the Technical Specifications.



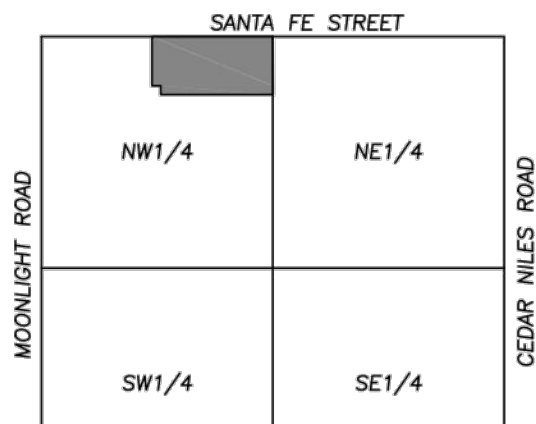
Signature of Applicant

Date



LEGEND

- PL ——— PROPERTY LINE
- LL ——— LOT LINE
- R/W ——— RIGHT-OF-WAY
- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- ASPHALT TO BE REMOVED
- NO PARKING/FIRE LANE STRIPING
- FIRE LANE SIGN
- STREET LIGHT



SCALE:
1"=2000'



CIVIL ENGINEER:

PHelps ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclausse@phelpsengineering.com

OWNER/DEVELOPER:

GREEN COURTE ACQUISITION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091001216, AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 21°11' E (S 01°48' E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17"